

# **Functioning of Tribal Political Structures: A Study of Tribal Self-Governance and Panchayats in Selected Villages of South Gujarat**

## **Research Team**

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## **Acknowledgement and Preface**

Governance is about governing the community. This report presents the narration of two systems of governance of three Adivasi villages in South Gujarat. The study has examined in some detail the governance structures and processes of these villages. Governance structure refers to the framework of decision and policy making and setting up management, especially regarding rules, procedures, roles, and the division of responsibilities within the entire decision-making process. Thus, governance is about decision-making about the life of an individual and the community. This kind of governance gives a community the power to decide. The power given or assumed may be through the cultural traditions of the community or through the legal means of the state through its constitution.

Adivasi, often addressed as tribals are not homogeneous people. There are several tribes in India as well as in Gujarat. This study is about the Adivasis of three villages from three different districts in South Gujarat namely Kanadha of Navsari District, Gadhvi of the Dang District and Mubarkpur of Tapi District focusing on their dual governance systems, traditional and modern.

The study of the governance of tribals undertaken by the Centre for Culture and Development (CCD) in collaboration with the Azim Premji Foundation is different from many other studies in terms of its focus. Unlike them, the present study is an exploration into understanding the functioning of tribal political structure. To be more precise and purposeful, it has attempted to examine the interaction between two forms of governance i.e., Traditional Tribal Self-governance (TP) and Statutory Panchayats (GP) in the numerically larger tribal populated villages of South Gujarat. The study is significant as there is very little information about the tribal political structure. The study also aims to understand the interaction of the traditional tribal system of self-governance with the constitutional system of governance (after the 73rd Amendment Act), especially in Western India. Besides understanding the role of power, the process of exercising the power in decision-making is an important aspect of tribal governance and thus it was the subject matter of this study.

The CCD research team and the local investigators visited all three villages. The local investigators were acquainted with the village as well as fluent in the local language. Without their help this study would not have been possible. People are the ones who provide time, energy, and the information we require. Without the willingness of these villagers and the role holders to provide the vital information, the research would be anything but empirical research.

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They have been initially cautious but after the stage of rapport building and several visits, they opened up and became willful in sharing their understanding of governance systems and functioning of both the traditional and the gram panchayat.

We would like to extend our gratitude to Shakti Trust-human rights and legal aid organization, its director Ramesh Tadvi, and the staff for exploring with us some of the research questions, status and challenges of PESA in the area. The Jesuits of the area have been generous in providing accommodation to the team of researchers.

This study would have not been possible without the accumulated knowledge, information, and assistance of individuals and groups. I want to acknowledge the contribution made by several people in the process, findings, and completion of the report.

This research involved long-distance travel from Vadodara, staying over at the places of study, and spending hours with villagers and especially the role holders of the two-governance systems. The team of researchers consisted of Soma Vartha, Jyoti, Kanchan Bharati, and James C. Dabhi. The team deserves a pat on the back for their hard work, dedication, and meticulousness in data collection, handling, checking, and verifying. I want to thank Dr. Rupalee Burke and her team for helping us with the translation of the material into English. I would like to thank Dr. Dhananjay Kumar for his suggestions and comments during the research work.

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Finally, my sincere thanks to the Azim Premji Foundation, Bengaluru for providing financial assistance to carry out this study.

We hope that this study will help those who are at the service of these citizens of India, especially the local bureaucrats, politicians, panchayat office bearers, policymakers, enlightened villagers, and civil society organizations working among these tribal areas.

James Regina C. Dabhi  
Director and Project Coordinator

## Abbreviations

CDP	Community Development Programme
CSWI	Committee on the Status of Women in India
FD	Forest Department
FRA	Forests Rights Act
GP	Gram Panchayat
GPA	Gram Panchayat Act
JFM	Joint Forest Management
MFP	Minor Forest Produce
NIRD	National Institute of Rural Development
NPP	National Perspective Plan
OBCs	Other Backward Classes
PESA	Panchayat Extension in Scheduled Area Act
PHC	Primary Health Centre
PR	Panchayati Raj
PRIs	Panchayati Raj Institutions
PSs	Panchayat Samitis
SA	Scheduled Areas
SEZs	Special Economic Zones
SJCs	Samajik Nyaya Committees
SP	Statutory Panchayats
TP	Tribal Panch
TSG	Traditional System of Governance
ZPs	Zilla Parishads

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### Glossary

<i>aat</i>	ash
<i>agyavaan</i>	leaders who handles the issues
<i>ahala</i>	fruits
<i>akhati / akhatrij</i>	choice of seeds for the sowing season in monsoon is the main purpose of this festival
<i>barmu</i>	twelfth day
<i>bhagat</i>	village priest
<i>dej</i>	dowry
<i>dhaja</i>	religious flag
<i>donis</i>	baskets
<i>dungardev</i>	mountain deity
<i>fago</i>	gift money
<i>faliya</i>	lanes/streets
<i>gaam devata</i>	village God
<i>gavgudiya</i>	priest
<i>ghar jamai / khandhadiyo</i>	resident son-in-law in wife's home
<i>ghunghat</i>	veil
<i>gorai</i>	germinated grass (of grains)
<i>grahak seva kendra</i>	consumer service centre
<i>grama</i>	village
<i>haat</i>	weekly market
<i>hawado</i>	water Channel
<i>holi dand</i>	a thin branches of bamboo
<i>iikhna</i>	a game played both men and women in which agricultural implements are to be identified
<i>ishtadev</i>	chief deity
<i>ittar</i>	perfume
<i>jagaliyo</i>	village crier
<i>jana</i>	people
<i>kandiyo</i>	castor-oil plant
<i>karamda</i>	kind of berry-sized fruits
<i>karobari</i>	administrator

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<i>kesuda/ polus</i>	flowers of Butea monosperma tree also known as palash, dhak or Flame of the forest
<i>khatri</i>	ancestors
<i>lagna</i>	marriage
<i>lolariya</i>	<i>Holi</i> songs
<i>mach</i>	bier
<i>mamlatdar</i>	district revenue officer
<i>mangalsutra</i>	ornament worn on neck after marriage
<i>motapen</i>	wedding
<i>mukhi or mukhiya</i>	chief village head
<i>Muqaddam</i>	village headman
<i>nagdev</i>	serpent deity
<i>nandarvo dev</i>	the deity that helps in ploughing Mother Earth and making the earth cultivable
<i>nanipen</i>	engagement
<i>pachvi (divaso)</i>	festival of cobra worship
<i>panch</i>	assembly of five members
<i>pandit</i>	Hindu priest
<i>pardha</i>	veil
<i>parha</i>	cluster of villages in a particular locality
<i>patwari</i>	a government official who keeps ownership records of areas of land and collect land taxes
<i>prasad</i>	offering (as in after some Ritual)
<i>pujaro</i>	priest
<i>ratwa</i>	night
<i>reliya</i>	the village that was swept away
<i>rotla</i>	flat bread
<i>saat pheras</i>	seven circles
<i>sabha</i>	assembly of group of people gathered together for a particular purpose
<i>sabhya</i>	member
<i>samiti</i>	a committee, society or an association
<i>sidhu</i>	groceries
<i>tera</i>	wild vegetation



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<i>tilak</i>	a mark made on the forehead
<i>trijyu</i>	third day
<i>tur</i> or <i>thali</i>	a plate
<i>vadil</i>	elderly man
<i>vagh Dev</i>	Tiger deity
<i>vayudev</i>	wind deity
<i>zagirdari</i>	form of land tenancy developed in India during the Mughal Period in which the collection of the revenues of an estate and the power of governing it were bestowed on an official of the state.
<i>zardosi</i>	Persian origin meaning embroidery with gold threads

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## Chapter 1

### Introduction

Political structure and processes go hand in hand as they are part of a governance system. Governance structure refers to the framework of decision and policy making and setting up management, especially regarding rules, procedures, roles, and the division of responsibilities within the whole decision-making process. Thus, governance is about decision-making about the life of an individual and community. This kind of governance gives a community the power to decide. The power source may be through cultural traditions of a community or through legal means of an institution as the community begins to be an integral part of a state entity, or a political institution<sup>i</sup>.

Writings about the life of a community is important for various purposes; from understanding the community to policy consideration for the community. Generally, such writings are written by the members of the community or others write about the community for varied intentions. With reference to tribals and their life in India, pre-independence works on tribal are written by others and mainly consist of anthropological-ethnographic studies which is undertaken by colonial administrators and foreign scholars, missionaries, and travelers. These studies among other reasons were undertaken to enable the colonial administration to maintain stability and order, and it was done out of the intellectual curiosity of the foreigners about the primitiveness of the tribes. A large amount of such studies dealt with tribal ecology, economy, arts and crafts, magic, witchcraft, religion, and culture (Shah 2010: 21). Unfortunately, the culture is often narrowly defined to include dress, music, dance, drama, festivals, ceremonies, and so on. After independence, several scholars from various disciplines have studied the education problem prevailing among the tribals. These studies were undertaken in response to the policy and programmes of the government to promote education among the tribals. Since scholars with different ideological predilections and theoretical propensities have studied the tribals, they have had diversity in their substantive focus, theoretical and methodological orientation and also the findings<sup>ii</sup>.

The studies on the political structure and tribal societies have attracted very little attention from Indian scholars. Overall, anthropological, and sociological studies on political structures neglected studies of tribal societies (Jain 1979: 946). Hence there is microscopic studies on tribal political life and engagement in the political sphere at the

community, local, regional, and state level by different scholars. Only after Surajit Sinha's (1962, 1965, and 1987) explorative works on tribal polities and state systems, some inquiries on this dimension, by anthropologists and historians (Kulke 1976, Thusu 1980, Hardiman 1994, Guha 1996, Sundar 1997, Skaria 1999 and Panda 2005) became available. The present study on tribals however, seems different from these studies in terms of its focus. Unlike them, the present study is an exploration into understanding the functioning of tribal political structure. To be more precise and purposeful, it has attempted to examine the interaction between two forms of governance i.e., Traditional Tribal Self-governance (TP) and Statutory Panchayats (GP) in the numerically larger tribal populated villages of South Gujarat. The study is significant as there is very little information about the tribal political structure. The study also aims at understanding the interaction of the traditional tribal system of self-governance with the constitutional system of governance (after the 73rd Amendment Act), especially in Western India. Besides understanding the role of power, the process of exercising the power in decision-making is an important aspect of tribal governance and thus it is the subject matter of this study.

### **Governing Institutions and Tribal Areas**

Governance has been defined as referring to structures and processes that are designed to ensure accountability, transparency, responsiveness, rule of law, stability, equity and inclusiveness, empowerment, and broad-based participation. Governance is also defined as the way rules, norms, and actions are structured, sustained, regulated, and held accountable.

Surajit Sinha in his landmark paper, "State Formation and Rajput myth in Tribal Central India" (1962: 35-80) has described how the equalitarian primitive clan based organisation has adjusted itself to the centralized hierarchy territorially oriented political development, the nature of social class formation and integration of primitive symbols of the tribal with the symbols adopted by the state. According to Sinha, during this political process, tribes got/were stratified into different social classes, mainly in terms of land holding and territorial extent of dominance.

Later on, several scholars worked on similar themes such as Thusu (1980), Kulke (1976) Kulke (1985), Sinha (1987), Hardiman (1994), Guha (1996), Kulke (1997), Saha (1996), Sundar (1997) and Panda (2005). All these studies refer to tribal chieftains operating as part of some larger kingdom, sometimes an imperial one. Most

of them claimed to be Rajputs and Kshatriyas by elaborating genealogies and myths (Shah 2010). However, earlier historical probing misses some of the important aspects. Firstly, they never tell us how exactly the local chieftains were related to the imperial kingdom. They do narrate certain symbolic practices, such as the tribal chieftain applying the *tilak* of blood on the king's forehead at the coronation. The blood for the *tilak* is taken from the tribal person's finger, signifying a symbiotic relationship. But they rarely enlighten us on the more substantive matters.

The dynamics of a political process of tribals as understood by 'processual structuralists' looks at the two basic concepts, viz., political field and political arena whose focus is more on the process of policy and actual decision-making processes. The political field denotes both participation individuals and groups, the meaning of values, symbols, and resources they use to carry out political activity. This includes the village elders, councils, decision-making bodies and rules, customary laws, institutions etc. Whereas a political arena refers to the socio-cultural space around the political field which involves the participants in the event but they do not themselves participate in the event. This includes the village co-operative societies, local and government agencies, etc. (Panda 2005).

### ***Self-governance in Tribal Societies***

The idea that 'people should govern itself' is the basic revolutionary idea, from mid-eighteenth century, that places the base of the representative institution (Przeworski 2009: 71). The premise of the original conception of self-governance was that everyone has the same preferences about the social control methods under which each and everyone wants to live. However, self-governance is more or less becoming a myth in societies, especially in the tribal societies.

In tribal societies, self-governance is mostly done by a collective way of customary methods. In these societies, the social control method collectively governs as the customary laws are implemented on behalf of preferences for societal memberships. However, as societies become more heterogeneous, these preferences collapse in the presence of conflicts over values, interests, or norms over the unequal distribution of existing resources. Much of the Scheduled Tribe population is concentrated in the eastern, central, and western belt covering the nine States of Odisha, Madhya Pradesh, Chhattisgarh, Jharkhand, Maharashtra, Gujarat, Rajasthan, Andhra



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Pradesh, and West Bengal. Experience and practice of governance among various tribes is different and influenced by the politics of the State.

As far as empirical research on self-governances among the different Tribes of India is concerned then it is little and mostly action-oriented. Participatory Education Action Research and Learn (2001) studied self-governance among Munda, Oraon, Ho, and Santhals of Jharkhand. It found that the traditional political structure has been a product of a system developed by the tribals which has evolved and modified in a natural evolution process. Further, the system generally combines political affairs with social, religious and economic affairs concerning the management and ownership of resources. Similarly, Sharan et al. (2003) carried a survey in six districts of Jharkhand among Munda, Oraon, Ho, Bhumij and Santhal about their traditional self-governance systems. They took into consideration the participation of political actors including women, and intra-community or inter-community relations with tribal self-governance system. They also tried to explore the linkage of correlation and coordination between tribal self-governance and statutory Panchayats and their effectiveness in dispute settlements.

At the National Institute of Rural Development (NIRD), Singh (2005) carried out a study on the structure and functioning of the traditional tribal customary mode of dispute resolution among the tribal communities of three states: Madhya Pradesh, Andhra Pradesh, and Odisha. Study highlighted some common patterns of social control methods among tribal societies of three states regarding dispute resolution. Most of the disputes revolved around material imbalance i.e., uneven distribution of resources, adultery, rape, cultivated land, trees, fishing and hunting rights, thefts, etc. which refer to traditional governances. While crimes like murder are usually referred to police stations. The tribal councils have a very well-organized process for handling disputes and carrying out their decisions. The basic philosophy of the social control method is integral to the tribal socio-cultural system. The final judgment on the case is not meant to punish or convict but to incorporate the deviants into the life of the community. Only in extreme cases do these councils resort to excommunication. In most cases, it is always a negotiation of justice between the contending parties through the medium of traditional councils. The philosophy and approach of the entire procedure is directed towards the maintenance of harmony, integration, and tranquility of the tribal community. So, if left to themselves, they have enough potential to manage their social affairs effectively, instead of forcing modern institutions of justice on them. These councils are still the most powerful instruments of justice. However, the study also

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reports that certain villages situated close to the urban centers and those with a heterogeneous population, manifest weakening of the traditional council.

There are two ways to look at tribal self-governance. The first view holds that there is a lack of uniformity in the relations of traditional political systems in tribal communities and areas. There has been an ongoing erosion of authority and delimitation of power mainly in social and religious matters due to the regulatory and developmental roles of the State (GOI 2006). The second view is more optimistic. It embraces that tribal social control methods and institutions are very much ingrained in the tribal way of life. Tribal communities regularly sit together to arbitrate disputes, exercise social and religious control, and to take decisions regarding agricultural activities. Here, life is not divided into different watertight compartments such as economic, religious, social, administrative, and political, as it is in the formal structure of government. Life is an organic whole. Many of these systems are still alive. No doubt some have just survived out of which a few have even flourished. This is indicative of tribal societies and their resilience to adapt their socio-political institutions to new challenges in a nation-state and in facing modernity.

In modern democracies, a state with sizeable tribal population has been pressured from both within and without to develop long-term strategies for recognition and support from tribal right to self-determination. To protect the tribal society, culture, and customary law through self-governance and making available the provisions of the development programs of a democratic state, the Panchayat Extension in Scheduled Area (PESA) Act, 1996 was implemented. It provides an opportunity to Panchayats for decentralised governance in tribal areas “in consonance with the customary law, social and religious practices and traditional management practices of community resources.” The act thus gives more power to the informal governing structure. Currently, the Act has been extended to nine states-Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Orissa, and Rajasthan. But only five states have framed rules for implementation of PESA, they are: Andhra Pradesh, Himachal Pradesh, Maharashtra, Orissa, and Rajasthan (Dung 2017).

In the context of tribal-dominated villages and PESA, the political structure thus involved existence of two forms of governance. One, an informal way of control at the social, societal or communitarian level represented by Tribal Councils; a system very much ingrained with the tribal way of life. Tribal communities sit together to arbitrate disputes, exercise social and religious control and to take decisions especially related

to agricultural activities through a body of the Tribal *Panch* (Traditional Tribal Council) comprising of three body members (or more) with specific roles. Here, life is not divided into different watertight compartments such as economic, religious, social, administrative, and political, as in the formal structure of government, but as an organic whole. The second is a formal one represented by the constitutional body of governance of gram panchayat (hereafter GP) and State government. It is almost 27 years since PESA came into existence, but it cannot be neglected the process of a globalised economy, and the indispensable role of money power and political power which became a hurdle to total self-governance at a grass-root level.

### **About the Study**

#### ***Context and Significance***

Currently, every corner of the tribal area comes under the umbrella of the constitutional governance system. However, most of the existent literature on tribal self-governance in India more or less focused on one side of traditional self-governance without any reference to the constitutional form of governance. Also, most of the studies on tribal governance restricted their focus to dispute settlement function; fewer focused on the decision-making system such as management of community resources, negotiation with the State and state politics.

Gujarat accounts for 8.1 percent of the Scheduled Tribe population (STP) of the country. They are concentrated in the eastern districts, from Mt. Abu on the Rajasthan border in the north to the Dahanu district on the Maharashtra border in south. The STP area constitutes 18 percent of the state's geographical area. It is a traditional home for 25 tribal and five primitive tribal groups composing 14.8 percent of the state's population. Around ninety percent of these 89.17 lakhs tribal people live mostly in rural areas. In the tribal villages, different tribal communities with different numerical strengths coexist. The governance pattern shows a dual system where in some tribal villages tribal council continues to be an integral part and very much alive suggesting the greater social legitimacy of a tribal system of traditional governance mechanism. However, the governance system of the statutory panchayats has assumed some functions and in several places, taken over some tasks such as the controlling of natural resources of the traditional governance structure.

Therefore, at this juncture, it is pertinent to study the local status of tribal self-governance institutions and their interaction with the new constitutional governance

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institution and their implementation. This study is an attempt to understand what are the different forms of actual practices of social control and are they prevalent in the existence of dual power systems? Are these systems undermining, competing, complementary, or duplicating each other? And finally, how do these dynamics affect the socio-political aspects of the local tribal people?

### ***Objectives of the Study***

The present study examines the interaction of the traditional tribal self-governance institutions in relation to constitutional panchayats in the selected tribal villages of South Gujarat. The main objectives of the study are:

1. To understand the structure, processes, and functions of tribal self-governance system.
2. To ascertain the areas of cooperation, coalition, overlaps, conflicts, etc. between the two governance systems.
3. To examine the specific socio-political impact of these two governance systems on the local people, clans, lineages, etc.

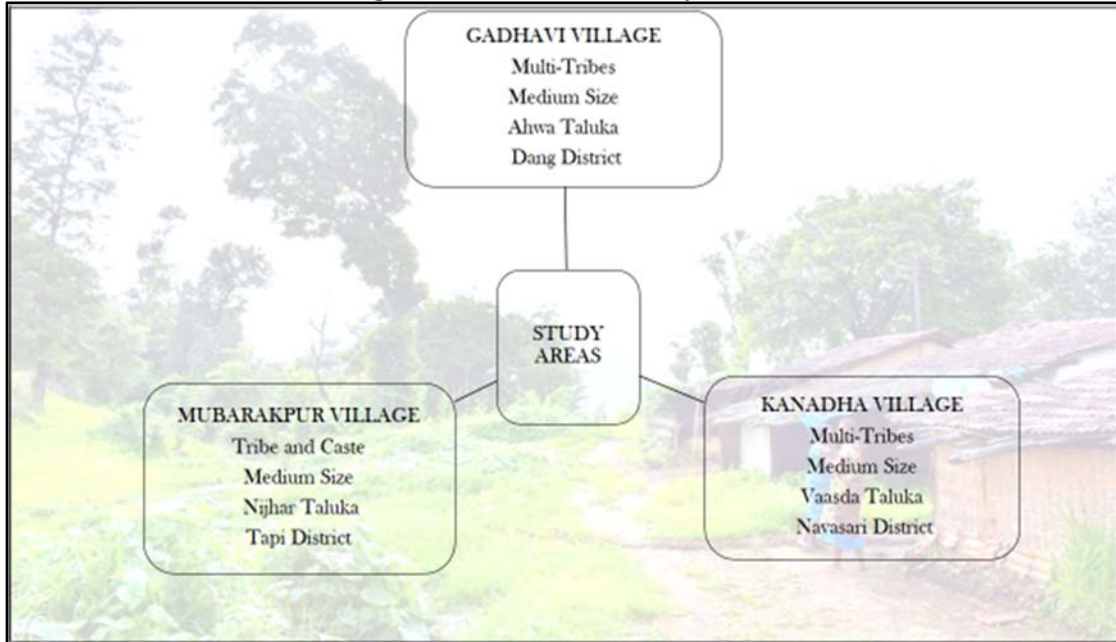
More precisely, besides looking at ethnographic accounts of the tribe/s in the villages it attempts to compare and contrast different aspects of two governance systems in tribal villages.

### **Research Methodology and Methods**

#### ***Selection of study area***

The methodological exercise for the study began with the selection of the study areas that have gone through multiple stages—from broad regions to selected villages. Starting from region, the South Gujarat was selected because the region has the largest population of the Scheduled Tribes in Gujarat when compared to other regions viz., central, northern, Kutch or Saurashtra part. After reviewing and mapping different areas of South Gujarat, the study mapped out villages (or GPs) that had the tribal population with a history of traditional political systems. Out of this, we purposefully selected villages with different characteristics from the population such as co-existence of tribal and non-tribal groups, numbers of tribal groups (such as single tribe or multi-tribe), and the size of villages (such as smaller, medium, large, or dispersed, nucleated). The three final selected villages include:

**Figure 1.1: Selected Study Areas**



After finalizing the villages, a preliminary visit was done to bring out brief information on the socio-geographical details of these villages. It helped in formulating the profile of villages which included information on:

- i. Demographic profile of villages.
- ii. Details of residing tribes and their population.
- iii. Total lanes/streets (*faliya*) and residence pattern: mixed tribes or single tribe
- iv. Type of Gram panchayat of the village: Group-gram Panchayat or single village panchayat.
- v. Presence of Tribal Council.
- vi. Village coming under PESA and their attempt to implement PESA.
- vii. Various Government schemes operating in the village.

#### ***Framing interview-schedule***

The preliminary visit also helped in articulating the prospective questions and checklists for framing and operationalising interview-schedule. The prepared schedule broadly covered the following specifics:

- (i). Village structure
- (ii). About Tribal *Panch* (council) (TP) Structure
- (iii). About Gram Panchayat (GP)
- (iv). About *Raja's* (King) Role in Village (if any)

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- (v). Interaction between TP and GP
- (vi). About PESA
- (vii). About TP, GP, and Villagers
- (viii). About involvement of local politics in two governance systems

### ***Resource Personnel***

Three research investigators (RI) were chosen because the study's topic required them to be familiar with the geography and accents of the communities under examination. These investigators were qualified social worker (who have completed their MSW) and were living at a near distance from the selected villages. Besides making it convenient to conduct the study, their acquaintance with the place, their knowledge of the local dialect, and their culture helped in building rapport with the people. Before initiating the fieldwork, the investigators were given a two-day workshop where they were briefed about the research, clarity, and understanding of the interview schedule. These investigators were ably supported by one of the members of the research team (familiarity with the areas and dialect) at the field to help them gather required information. Besides RI, the research team also included four members.

### ***Data Assemblage***

Because of the nature of the research subject, the study mostly depended on qualitative methods of data collection. The insights on the structure, processes, and functioning of tribal governance institutions were explored through participatory methods of observation, interviews through checklist and schedules, group-discussions, informal interviews, and case studies. This empirical exploration also made use of the preparation of the clan, lineage, and family genealogies on trajectories of two governance institutions and networks of linkages of their members. In terms of sample design and size, the study limited itself to purposive selecting narratives of key informants belonging to institutions of local governance and other functionaries such as Sarpanch (present/previous), TP council members (present/previous), school teachers, village elders, health worker, GP *sabhya*/member, and villagers.

In view of our study samples the appropriate time to meet the people depended on their availability. Key informants like teachers, health workers, Anganwadi workers were available in morning/afternoon time. But few key members of TP and GP were only available to conduct interviews during evening hours. The research team had

scheduled the interview visit as per the convenience and the availability of informants for a better outcome.

Besides the empirical information, the study also collected and examined secondary sources such as relevant books, reports, research articles, and others to gather relevant information about the study.

### ***Data Processing***

Data Processing underwent different stages. All the empirical data was in the form of audio recording, or notes form (mainly in local dialect). In the first stage, the transcription of recorded data and notes were done in Gujarati. The second stage involved sorting the transcripts into important themes by eliminating duplications, errors, and irrelevant information. In the third stage, this sorted data was translated into English for interpretation and analysis. This whole exercise took approximately five months.

### ***Operational Issues and Challenges***

Operational challenge in the field was the credibility of the research team. The respondents thought the research team to be government officials. There were the issues of trust, especially in meeting GP members and their willingness to give all kinds of details. In few instances they avoided meeting the research team citing their unavailability due to some official and personal work. It appeared that social and political dynamics of the place played an important role in rapport-building and information gathering. The state elections during the later part of field work also aided the trust issues. However, the research team was able to get the relevant information steering clear of creating any situation that might act as trigger for any kind of conflicts.

### ***Chapterisation of the Report***

Chapter two details out an overview of studies on understanding the governance structure in the rural areas and tribal areas in particular. Chapter three profiles the socio-demographic features of three villages where this study is based. It lists out geographical details of villages and their history besides looking at their infrastructural and socio-cultural features. Chapter four provides details of the two governing structures in the studied villages. The discussion is made on each of their specific roles and responsibilities. Chapter five focus on the ways the two governing structures in the

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villages are reflecting consensus and contentions while performing their expected responsibilities. The last Chapter concludes the study by providing key insights about the findings.

### Notes

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<sup>i</sup> Political Institutions are institutions of formal social control. They are mechanism or agencies related to the exercise of legitimate power for maintaining order within a society. A sociological study of politics seeks to understand how political elements like leadership, power and authority, voting behaviour etc. (<https://ncert.nic.in/textbook.php?kesy1=3-5>).

<sup>ii</sup>[http://dspace.hmlibrary.ac.in:8080/jspui/bitstream/123456789/1683/9/09\\_Chapter%202.pdf](http://dspace.hmlibrary.ac.in:8080/jspui/bitstream/123456789/1683/9/09_Chapter%202.pdf)



## Chapter 2

### Understanding Local Self-Governance Structure

India has a long history and strong traditions of ‘democratic’ institutions from ancient times. Decentralized form of government talks about each village being responsible for its own affairs, in turn representing the foundation of India’s political system. ‘*Gram Swaraj*’ which was advocated by Mahatma Gandhi was adopted by state governments during the 1950s and 60s as laws were passed to establish a local governing system in the form of Panchayats in various states. It got its constitutional status with the Panchayati Raj (73rd Amendment) Act, 1992. As a result, Panchayats are envisioned as having given powers and authority to function as institutions of self-government.

This chapter provides a look at various secondary sources in the form of studies and reports on the concept of local self-governance structure in general and in Tribal areas.

#### Concept of Self-Governance

Self-governance is defined as the ability of social units to govern them independently. In addition, self-governance refers to a local government’s power and capacity to control and manage a significant portion of public affairs on its own initiative and in the best interests of the community. Further, we can understand that self-governance is a process of managing local activities by such local bodies that have been chosen by the community. Therefore, self-governing institutions at the local level are universally acknowledged as being necessary for the democratic process, national development, and effective citizen engagement (Nimesh 2022: 134). Thus, it can be stated that self-governance is a grass root process of democracy, based on local units of governance that allow people to develop a sense of responsibility and to teach them democratic principles. Furthermore, it also provides an opportunity to participate in public concerns, such as developmental work. In the Indian context, decentralization is often referred to as democratic and is visualized through Panchayati Raj Institutions (PRIs). Decentralization is a method embracing both – processes of deconcentration and devolution. According to Maddick (1963), while deconcentration stands for the “delegation of authority adequate for the discharge of specified functions to staff of a central department who are located away from the headquarters, devolution is the legal empowerment of formally constituted local authorities to discharge specified or residual functions”. Decentralization therefore is not only a device for the transfer of administrative authority, but it is also a

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democratic means of devolution of political authority as political decentralisation implies the creation of new levels of government or local authorities. Known as 'Panchayats' which is headed by a village headman chosen by the village elders were primarily responsible for maintaining law and order in rural areas. They resolved disputes and provided a forum for village-level decision-making.

Historically, in India, local self-government is not a contemporary concept. Throughout the ancient and medieval periods, Indians despite being governed by some authority or the other, have all along enjoyed a greater say in their political lives. The idea of 'grama' (village) and 'jana' (people) goes hand in hand. Concepts of 'Vidatha'<sup>i</sup> in the ancient Indo-Aryan literature, 'Sabha' in the early Vedic periods, and 'Samitis' in the post-Vedic period indicate that not only did these bodies exercise an effective check on the tyrannical exercise of authoritative power (by the kings) but also ensured adequate autonomy to the people of the society (Dayal 1998). The Vedic system was built on the idea of decentralisation and public participation in decision-making. There were popular institutions known as 'Sabha'<sup>ii</sup> and 'Samiti'<sup>iii</sup>. A *Samiti* was the Vedic Folk Assembly that in some cases enjoyed the right of electing a king while the *Sabha* exercised some judicial functions. These institutions allowed the public at large to directly interfere in village matters.

The village functioned as a standalone entity. It had its officials, generated its resources, and operated within its functional domain. Following the subsidiarity concept, the State only carried out tasks which the community was unable to complete on its own. Evidence of self-governance during the rule of the Chola, Pandya, and Chalukya dynasties in the southern part of India provides a convincing picture of popular participation in local-level decision-making. The Mauryas, Guptas, and Harsabarddhan were the last rulers to maintain this system in antiquity. Mauryan rule, which was of a centralised nature encouraged the village folks to improve the conditions of the villages and in return rewarded those who played exemplary roles. During the Gupta period, village autonomy grew stronger and gained considerable authority (Dayal 1998).

It may be assumed that till the end of the Mughal period, the villages continued to be regarded as units of self-administration though the magnitude of independence given to them kept varying. The village polity underwent significant upheaval in the early medieval period. Shershah Suri gave *Patwari* and *Muqaddam* control over the Revenue and Police Administrations. The *Zagirdari* system, which the Mughals instituted, evolved the practice of using middlemen to collect taxes from the peasantry and the state. By introducing the *Zagirdari* system, the Mughals strengthened the cohesiveness of the Panchayat system and village

community while establishing new local power centres. This affected local economies but as a consequence village panchayat lost financial independence. Although new institutions like *Zagirdari* appeared, the prominence of panchayat system remained active and alive during the Mughal Empire (Dash 2011: 41-42).

The local-self-rule began to undergo significant changes in the colonial period with the advent of British rule. India being multi-cultural and hugely diverse in terms of social and regional communities, in pre-independent India, the British made use of local governance to various degrees of clarity and effectiveness. More so the local self-government as a representative institution was the creation of the British. In the initial days, the interest of the British was limited to the creation of local bodies with nominated members built around trading centres. In 1687, a municipal corporation was formed in Madras. Set up on the British model of town council, this body was empowered to levy taxes for building guild halls and schools. As time passed, this model became prevalent as similar bodies were set up in other major towns which helped the British widen their taxation power. This model continued to comprise nominated members with no elected elements whatsoever. It was Lord Mayo, the then viceroy of India (1869 to 1872), who felt the need to decentralise powers to bring about administrative efficiency. Therefore, in the year 1870 introduced the concept of elected representatives in the urban municipalities<sup>iv</sup>. The revolt of 1857 had put the imperial finances under considerable strain and it was found necessary to finance local service out of local taxation. Therefore, it was out of fiscal compulsion that Lord Mayo's resolution on decentralisation came to be adopted (Matthew 2000). Thereafter, Lord Ripon passed the resolution on Local Government in 1882<sup>v</sup> (Prasad 2006). In 1909, certain recommendations were passed by the Royal Commission on decentralisation. For instance, the devolution of administrative powers to the local governments, local governments entrusted with powers concerning finance, public works, hospitals, land revenue, taxation (of a specific province), and so on (Chishti 2001). Thus, as against the ancient times of self-governance, the British colonial rule introduced modern forms of local self-government in India, which were based on the Panchayati Raj System. This system continued to evolve as governance of rural areas in modern India.

### **Panchayati Raj Institutions (PRIs): An Overview**

#### ***Pathway to PRIs***

There has been a local way of governance existing and effectively practiced in pre-Independent India (Maddick 2018; Ekka 2019). The Government of India Act of 1919 introduced local self-

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governing institutions with popular mandate and control over local affairs. As a result, several provinces and princely states enacted laws: Village Panchayat Acts in Madras, Bombay, Central Provinces, and Berar and Uttar Pradesh in 1920; Self-Government Act in Bengal in 1919, in Bihar in 1920 and Assam in 1925; and the Panchayat Act in Punjab in 1922 (George 1995: 3). Later the Government of India Act of 1935 introduced provincial autonomy and elected governments (Bijoy 2012).

In the post-independence era, the concern for local self-governance found a symbolic expression in the country's supreme law, i.e., the Constitution, in the form of a directive to the States. The thought process behind the Panchayati Raj (PR) system was to make democracy functional at the local level, which will be driven by citizens' needs and participation. It was therefore introduced as a system that decentralised governance, decision-making, and local development.

Though there were varied opinions and disagreements on the question of incorporating the idea of Panchayat into the Constitution, but the idea of Panchayats found its mention in the Constitution in the form of Article 40, which directed the State to "take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government" primarily due to the efforts of K. Santhanam, A. Ayyangar, and Rajendra Prasad (Sivaramakrishnan 2016).

After independence, as a developmental initiative, India implemented the Community Development Programmes (CDP) on the eve of Gandhi Jayanti, on the 2nd of October, 1952. It incorporated nearly all activities of rural development with a vision to implement with the help of village panchayats along with the participation of people. But the program did not yield the expected outcomes, mainly because of reasons like bureaucracy and excessive politics, absence of people participation, lack of trained and qualified staff, and lack of local bodies interested in implementing the CDP, especially the village panchayats. Seeing the failure, the government constituted a committee headed by Balwant Rai Mehta to investigate the ways to make CDP work effectively. The committee observed that the reason for its failure was mainly due to the lack of people's participation. It recommended, "the government should divest itself completely of certain duties and responsibilities and devolve them to a body which will have the entire charge of all development work within its jurisdiction, reserving to itself only the functions of guidance, supervision and higher planning" (Panda & Jitendra 2018). Besides it suggested a three-tier PRIs, namely, Grama Panchayats (GPs) at the village level, Panchayat Samiti (PSs) at the block level, and Zilla Parishad (ZPs) at the district level, thereby formalising what was earlier just a statement of intent in Article 40. Taking forward the suggestion, this

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scheme of democratic decentralisation as PRI was first initiated in Rajasthan on October 2, 1959, and was introduced in Andhra Pradesh, on 1st November 1959. Subsequently, by March 1965 the necessary legislation had also been passed and it was operational and implemented in Assam, Gujarat, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab etc. During the next two decades, PR began to stagnate and then started declining in the efficacy of its role in the promotion of development programs in rural areas. In subsequent years to revive and give a new lease of life to the panchayats, the Government of India had appointed various committees. Table 2.1 presents the details of these appointed committees and their recommendations for local self-government.

**Table 2.1: Details of Committees Constituted for PRIs**

S.No	Committee Name	Year of Establishment	Purpose and Findings	Recommendation
1.	Balwant Rai Mehta Committee	1957	<ul style="list-style-type: none"> <li>➤ It believed in effective community development, only through the community's involvement in the planning, decision, and implementation process</li> <li>➤ The basic unit of democratic decentralisation was to be at the block (samiti) level, as the jurisdiction of the local body should neither be too large nor too small. The block was large enough for efficiency and economy of administration, and small enough for sustaining a sense of involvement in the citizens</li> <li>➤ The Zilla Parishad (ZP) should play an advisory role.</li> </ul>	<ul style="list-style-type: none"> <li>➤ PRIs must focus on the rural sector</li> <li>➤ Establishment of PRIs at 3-tier: the village, intermediate, and district levels. i.e., Gram Panchayat, Panchayat Samiti and Zilla Parishad.</li> <li>➤ PRIs be given financial resources and genuine transfer of powers to discharge their responsibility and decide on local issues, covering the development of agriculture, promotion of local industries, and other services such as drinking water, road building, etc.</li> <li>➤ Encouraging people to participate in community work, promoting agriculture and animal husbandry, promoting the welfare of the weaker sections and women through the panchayats</li> </ul>
2.	K. Santhanam Committee	1963	<ul style="list-style-type: none"> <li>➤ Appointed to look solely at the issue of PRI finances</li> </ul>	<ul style="list-style-type: none"> <li>➤ The Panchayats should have special powers to levy special tax on land revenues, home tax, etc.</li> <li>➤ All grants and subventions at the state level should be consolidated and untied.</li> <li>➤ A Panchayat Raj Finance Corporation (PRFC) should be set up which would look into the financial resources of PRIs at all three levels</li> <li>➤ PRFC provides loans and financial assistance to these grassroot level governments and also provides support for the non-financial requirements of villages.</li> </ul>

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3.	Ashok Mehta Committee	1977	<ul style="list-style-type: none"> <li>➤ The task of enquiring into the causes responsible for the poor performance of PRIs and suggesting measures to strengthen them</li> <li>➤ PRIs are dominated by economically and socially privileged sections of society, yielding no benefits to weaker sections.</li> <li>➤ A few states including Karnataka formulated new legislation based on the recommendations of this Committee</li> </ul>	<ul style="list-style-type: none"> <li>➤ Suggested two tier systems of - Zilla Parishads at the district level and Mandal Panchayats at the grass root level as against three-tier system suggested by the Balwantrai Mehta Committee</li> <li>➤ Constitutional protection to the PRIs.</li> <li>➤ Further decentralisation of power at all levels. PRIs be given more powers and resources so that they become responsible for planning and implementing development projects at the local level. This would cater to the felt needs and priorities of the people and implementation would evoke people's involvement and participation.</li> <li>➤ Regular elections to the PRI bodies and open participation of political parties.</li> <li>➤ On elections: reservation of seats for the weaker sections and two seats for women</li> </ul>
4.	G.V.K. Rao Committee	1985	<ul style="list-style-type: none"> <li>➤ To revisit the obstacles in the way of effective PRIs.</li> </ul>	<ul style="list-style-type: none"> <li>➤ PRIs at the district level and below be assigned responsibilities for planning, monitoring, and implementation of rural development programs. The block development office (BDO) should be the spinal cord of rural development</li> <li>➤ PRIs be given greater autonomy and that they be made accountable to the people they serve.</li> <li>➤ PRIs be given the power to levy taxes and fees</li> </ul>
5.	L.M. Singhvi Committee	1986	<ul style="list-style-type: none"> <li>➤ To revisit the obstacles in the way of effective PRIs.</li> </ul>	<ul style="list-style-type: none"> <li>➤ The Gram Sabha (village assembly) was considered the base of decentralized democracy</li> <li>➤ Local self-government/PRIs should be constitutionally recognized, protected, and preserved by legal framework through the inclusion of a new chapter in the Constitution</li> </ul>
6.	K. Thungon Committee	1989	<ul style="list-style-type: none"> <li>➤ To revisit the obstacles in the way of effective PRIs.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Constitutional recognition for the local government bodies</li> </ul>

Sources: Mishra 1998; Malik 2002; Maddick 2018; Ministry of Panchayati Raj 2021

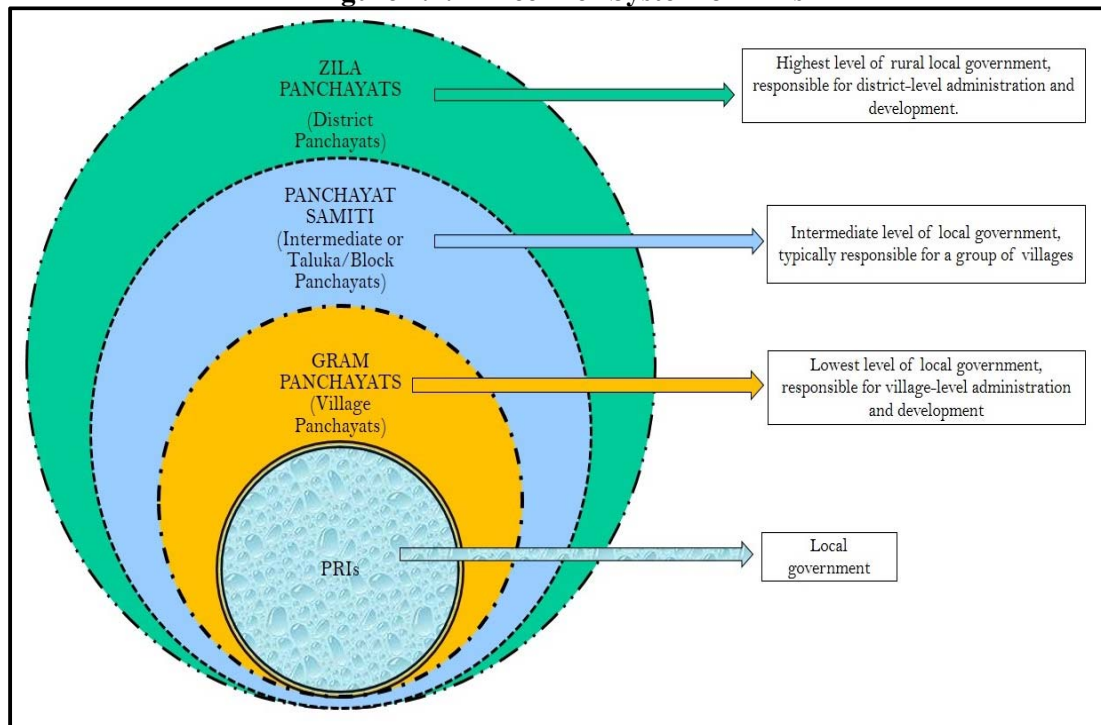
The overall out-product of a series of committees and their recommendation led to the reinforcement of the idea of Constitutional status for PRIs. Hence, the Amendment phase began with the 64th Amendment Bill on local government in 1989 which was introduced by Rajiv Gandhi (then Prime Minister) seeking to strengthen the PRIs. However, the bill was not passed

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in the Rajya Sabha due to failure to get the required support. After holding workshop discussions with District Collectors, he became aware of the insensitivity of the District Administration and the waste of funds intended for rural development, which led him to advocate for an amendment bill. Later, the Constitution (74th Amendment) Bill (a combined bill for the PRIs and municipalities) was introduced in 1990 which was never taken up for discussion. However, it was during the Prime Ministership of P.V. Narasimha Rao that a comprehensive amendment was introduced in the form of the Constitution 72nd Amendment Bill in September 1991. The 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments were passed with minor modifications by Parliament in December 1992. Through these amendments, local self-governance was introduced in rural and urban India with political participation. This resulted in the enforcement of Acts- the Constitution (73<sup>rd</sup> Amendment) Act, 1992 on April 24, 1993, and the Constitution (74<sup>th</sup> Amendment) Act, 1992 on June 1, 1993.<sup>vi</sup>

The two Amendment Acts restructured the PRI with a direct emphasis on reaching the grassroots level with the constitutional status and made it mandatory for all state governments to implement it. More so, this Amendment brought about uniformity in the structure, composition, powers, and functions of Panchayats, unlike its earlier non-consistent operationalization. The PRIs functioned under a uniform three-tier system as follows:

**Figure 2.1: Three Tier System of PRIs**



Source: By Authors

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The new status also gave Panchayati Raj stimulus to uphold the social and economic development as well as the improving the living conditions of rural India. Giving constitutional status to these bodies lent them a certain dignity which is essential to make these bodies viable and responsive institutions. Besides it gave opportunities to women in large numbers to enter local administration (through reservation), first time in the history of Panchayati Raj Institutions. Furthermore, as recommended by a few PRI committees the 73rd amendment introduced the important concept of the 'Gram Sabha'. Its purpose was essentially to facilitate direct face-to-face communication between the villagers and their elected representatives. The Gram Sabha has a dual role – one as an observer of the working of the Gram Panchayat and as a group assisting the Panchayat in matters of public involvement and participation (Ramachandran 1994). The minimum number of meetings of Gram Sabha is held twice a year, and include aspects to contain regular standing agenda items<sup>vii</sup> and discussions on themes of national priority areas (Maddick 2018). There are nearly 2.55 lakh elected Gram Panchayats in the country with approximately 30 lakh elected members and about 10 lakh PRI functionaries to make democracy work effectively at a grassroot level<sup>viii</sup>.

### ***Panchayati Raj and Political Parties***

The PRIs and election process of its members have ingrained in it the role of the national and regional parties which makes it more a place of power hegemony for some people rather than the community/local control. This is because the local level politics gets controlled and influenced by a higher level with a minimum interest in local problems and issues. Political parties have their interest. For some of them Panchayati Raj is a factor for the quest for power, a stepping stone, or a stumbling block as the case may be, but of no intrinsic value or importance, yet so much is a state for the politician as well as for the administrator (Maddick 2018) and Indian democracy.

Political parties at the regional level or a national level, remains depended on these grassroot contests – power, patronage, and a secure base for general elections. It is said that the political parties had welcomed the extension of decentralisation involved in Panchayati Raj as giving the party organization more power than that of the state governments. Stories are current and appear well-founded, of intimidation of junior or even senior officers in the Panchayati Raj system by political parties to gain their support and influence. These unfortunates under threat of penal posting become the unwilling public relations officers of a party. There are also stories of political neutrality as well which often do not make the news (Maddick 2018: 255). Many MLA's, MP's do not participate in the PRIs second or third-tier bodies. While some do but



then they often dominate the discussion and overrule local opinions and views. Therefore, local government has often become a power dynamic to these politicians and not a democratic institution to empower local citizens and better their lives. There are various views about elections to these bodies of Panchayati Raj. Some studies suggest that the successful contestants are those backed by political parties, others suggest that they are members of the castes, and still others they come from carefully managed factions. Mass persuasion using community bribes may not be ruled out here (Maddick 2018: 256).

There are dangers cited based on group reality and observations made. While the non-officials have special duties in fulfilling their role in a healthy local government system, the temptations are strong to wield power blindly or deliberately for their benefit, whether financial, or for enhancing their positions in village group or caste by obtaining favour from friends or relatives, or for the particular area from which they come, something not unexpected in Indian society. This is even exacerbated by the desire to strengthen their position against the next election (Maddick 2018: 261).

Sarathi Banarjee (2010) depicted that the sacrosanct institutions of Panchayat have turned into tools in the hands of the power managers to mobilise rural people in their quest for more power and ultimate supremacy in state politics. Notwithstanding the process of democratisation in rural society initiated by the PRIs, these institutions seem too vulnerable to fall victim to party bias (in some other state it may be caste or class bias), apart from personal corruption. The political usurpation of Panchayat power by the party may be more fatal than the economic usurpation of Panchayat funds as evident in the case of West Bengal.

The success of Panchayati Raj depends on the participation of people and by providing well-planned, efficient, and honest administrative services – both developmental and municipal (Maddick 2018: 263). One of the essential contributions that could be made to political education and the operation of political institutions would be to improve the system of information and communication available to rural masses.

Maddick (2018) argued that it would be an understatement to say that the system of financing Panchayati Raj is untidy and inhibiting. The procedure of making and issuing grants to local authorities often handicaps their operations. In some respect, Panchayati Raj has been unfortunate in inheriting a hotchpotch or arrangements and a series of controls which are based on philosophies quite foreign to those of the developing countries. Most of the income comes in the form of grants. Some grants are ad hoc, and are grants for particular projects; others are recurring grants over varying periods of time. Some of these originated from the State government and others from the Union government. There are several hurdles and delays in

issuing authority to draw the money. The delay is on the part of government bureaucracy, lack of understanding from Panchayati Raj institution and people's power and access to finance other than confusion over the dual control system across the PRI-tier system and also the issues of lapsing unspent funds at the end of the financial year. Panchayati Raj unities have become the administrative and executive organ for the functioning of many ministries for the economic and social well-being of the area. However, the way the flow of finance is arranged, it seems wasteful, perpetuated and outmoded system.

Responsible governance by the state towards PRIs seems untrue. This is reflected especially from the available statistics of funds meant for PRIs. For instance, when the Eleventh Finance Commission had set apart 10,000 crores for PRIs and urban local bodies for the period 2001 to 2005, the available figures showed that many of the state governments could not claim the funds amounting to 1,646 crores rupees from the Central Government. It is because they did not fulfill certain basic criteria set up by the Union Government for transferring these funds. Only five states – Kerala, Chhattisgarh, Gujarat, Haryana, and Rajasthan – got the full amount. This shows how the state governments could ruin the interest of the local government system. This trend continues even today. It is against this scenario that many have gone to the extent of suggesting that the Central Government must deal directly with the local governments (Mathew 2018).

The PRI bodies rather than becoming a space for empowering leadership unfortunately are becoming malignant as centres of exotic power, dispensers of favours, sources of easy money, conduits for amassing wealth, and wreckers of the community particularly through politics of vote (Sharma 2001: 29). Also, they are mere appendages of the State and function as the State's apparatus for the implementation of a variety of so-called developmental programmes which, in a large perspective of the rural scene, are not significant.

### ***Marginalized Groups and Women in Panchayati Raj***

Representatives of the panchayats have been considered as the first level of political leadership and panchayats could be considered as the 'training grounds' for political leaders (Inbanathan 2003). The 73<sup>rd</sup> Amendment Act has greatly contributed to the political empowerment of marginalized communities and women in the rural society. It has thrown open political opportunities in the Panchayats to these disadvantage sections (Reddy 2003). According to Kumara (2016), in Karnataka due to the Act, over a million of Dalit's men and women have coming forward for the first time to hold public office and to participate in public activities, making their presence in the power struggles once dominated by the upper caste. To him this

is the most effective formal step towards political empowerment of Dalit's. There are many instances where Dalit have been self-motivated to fight an election. In several instances, the Gram Sabha has persuaded Dalit representatives with leadership potential to stand for elections. In Karnataka Dalit representatives have elected 19 percent in 2005 it has increased rapidly to 20 percent in 2015 in gram panchayat elections. It indicates awareness of political power among the Dalits and revel in local governance in the state. However, Inbanathan (2003) opines that while reservations of seats in the panchayats have provided political space to Dalits in Karnataka, this has not been translated into effective power. It is partly due to their recent entry into electoral politics, and the continuing dominance of individuals from groups higher in the social hierarchy. To him though overt discrimination is not often found but Dalits in the state do not function as equals to representatives of higher castes. Reservations have given political representation to Dalits, but their participation is constrained by the existing social structure.

A report by Social Watch (2003<sup>ix</sup>) pointed out that the Constitutional conditionality of reservation of women and other disadvantaged sections on the seats elected at all the three tiers of PRIs is a path-breaking positive discrimination. This is because the reserved seats allowed a large number of women, Dalits, and tribals for the first time as the elected members of Gram Panchayat, heads of Panchayats, Block and District Presidents. However, the emergence of many leaders from these sections has challenged the existing power centres at the local level. Furthermore, caste discrimination also gets enfold. The Dalit representatives in PRIs at the Gram Panchayat, Block, and District level remain largely unacceptable by the upper caste and class forces. There are numerous examples where Dalit or tribal leaders face insults in Gram Sabha or Block or district level meetings as well as while they are dealing with the government officials. In their representation, the social hierarchy overpowers the constitutional rights given to them. According to George (2007), since the upper castes controlled the affairs of the village, they could not tolerate the changes being brought about by the decentralised democratic institutions when Dalits began to assert their political rights through the same. In such a situation, series of questions could be raised concerning Panchayat Raj vis-à-vis Dalits.

Discussing about the empowerment of weaker sections through Panchayats in the districts of Rajasthan and Haryana, Tyagi and Sinha (2002) put forward the fact that the process of political representation of weaker sections by way of reservations is moving extremely slow. Rather the tendency of the dominant people to avoid, suppress and manipulate the views of SC/ST members is more prevalent. For them the adequate numerical representation of weaker sections in Panchayats is not their main empowerment, but it has to be facilitated by education, economic opportunities and intensive awareness campaign.

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The participation of women in policy-making is an undisputable element of democracy. Caste and male chauvinism have wrecked Indian society. If caste divided Indian society into thousands of sub-categories, patriarchy exploited women (Buch 2001). It was only in the decade of 1980s that in the wake of International Women's Year and International Women's Decade that the report of the Committee on the Status of Women in India (CSWI), the issues raised by the women's movement that the National Perspective Plan (NPP) in 1988 included a recommendation of 30 percent reservation for women in Panchayats as well as in other decision-making bodies (Buch 2001: 8-9). The 73<sup>rd</sup> Constitutional Amendment Act of 1992 provided 33 percent reservation to women in Panchayati Raj. It inspired women to take an active role in the growth and planning of their communities. It concentrated on how open dialogue amongst women and their involvement in the decision-making process gives rural women a feeling of purpose and meaning. While fighting against repressive forces, she works second fiddle in the public domain and is constrained by the stereotyped attitude of a culture where men predominate. Her place in the household is therefore rather precarious (Pradhan and Dutta 2008: 560).

Though women were given the opportunity to become members of Panchayats, yet it was not easy for them to make their place. Studies showed that the successes, barriers, and frustrations are affected by the context of women and their communities, namely varna-caste, class, and of course gender. Women's low level of mobility, seclusion, lack of information, negotiation skills, internalised low self-image and lack of confidence obstruct the process of women's participation in Panchayats in many places (Buch 2001). Examining the awareness and constitutional knowledge of 50 rural women of Anwal (Haryana) in PRIs Nandal (2013) found that the participation of women in the affairs of Panchayat elections is not satisfactory. They have less awareness about the Panchayati Raj Act 73<sup>rd</sup> Constitutional Amendment and the working of Gram Panchayats. Santha (1999) reported that the political participation of women in Panchayat has varied across states and within a state. In one of the studies Kerala rated a higher percentage of women's participation compared to Tamil Nādu and Haryana.

In the past as well as the present, women have been marginalised in the three domains of social, economic, and political life. The Panchayats, representative institutions at the village, intermediate, and district levels, works as a source to bring their presence in political bodies, to uplift their life and empower them to be in leadership and decision-making bodies. However, in reality the proxy participation of women exists and will continue to exist. It is the men who still hold the power in PRIs, especially at the Gram Panchayat level.

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A study conducted by the National Commission for Women (1998), on the participation of women in PRIs in six states, demonstrated the unruly and disrespectful behaviour of officials towards the women representatives. Many of the officials have humiliated, demotivated, and labelled them as 'illiterate.' Mocking their selection, officials asked the women to send their husbands and advised them to take care of household and children. The women further reported about financial misdeed by stating that, officials find it easy to settle commission on development grants with men comfortably rather than doing the same with women. This makes us believe that the stereotypes prevalent within the top political leadership and bureaucracy has a long way to accept women along with socially disadvantaged group (SCs/STs) respectfully and making efforts to build their capacities rather than dehumanizing and accusing them of weak capacities.

Most of the Panchayati Raj Institutions have been propagating democratic values and equality through the active participation of women in the Gram Sabhas. However, the larger picture is still not very encouraging as the elected women representatives are often chosen due to their husband's status. The decision to fight elections is mainly taken by male members of a family who already enjoys political power or who have a political background. Influential and powerful men choose women, so that they could be easily manipulated to serve their interests. Equally important is the fact that the women's representation was due to the reservation policy and not due to their own decisions to be involved either in competing for elections or their involvement in the Gram Sabha (Nusrat 2023).

Non-acceptance of women's potential and achievements as elected women in PRIs braces the notion of patriarchy and the perceived threat of males losing their domination from their political roles. Hence, the presence of women was unacknowledged and was dismissed as proxies of their husbands and other male members of their families and at times as proxies of elites in the village. Their capacity to understand the process of governance and to lead the affairs of Panchayats was questioned. At the same time, it is also true that patriarchal mindsets make it difficult for women to interact with male functionaries at times when it is required. They feel more comfortable with women functionaries; however, there are very few women Panchayat functionaries (Sinha 2018).

Not everything is bleak for the elected women of GP, despite the difficulties they encounter. There are evidences to prove that elected women representatives have made their mark in bringing positive changes in their areas. They have made their mark by introducing significant initiatives. For example, the woman Sarpanch of Chandsamand GP in Karnal district, Haryana developed a three-pond system under MGNREGA with the purpose to treat

the grey water. Further it was used for gardening, kitchen gardening, and irrigation purposes. Similarly, another woman GP head of Dhauj, Haryana took several initiatives towards empowerment of women such as skill development for women and girls, digital literacy through mobile-computer training institute, motivating, and orienting school girls on their rights, campaign against *Purdha/Ghunghat* (veil) system etc. In Rajasthan the woman Sarpanch, a BA graduate has been working ever since to ensure clean water, solar power, paved roads, toilets, and a bank to the village. Likewise, former investment banker and woman Sarpanch of Dhunkapara GP in Odisha launched a campaign to revive traditional folk art in her village and ensured that the benefits of the various government schemes reach the needy and deserving people. She made efforts to introduce the benefits of the Public Distribution System to her village, which was not known to most people. One of her important contributions was a major literacy campaign for women in the Panchayat where only signatures would be recorded for official applications, instead of thumb impressions (Sinha 2018).

Focussing on the elected women representatives in Panchayats, Pattanaik (2010) reports the co-relation of women's leadership in Panchayats to the changing India due to success and effective stories. For him, these elected women have now become role models to the other women in their communities, thereby altering the development agenda to address issues critical to village life. Across the country these women ensure that development should reach their step in terms of better roads and sanitation facilities, efficient electricity is available to their villages, schools are built, medical services are available, and water sources are made safe, local savings groups are formed and so on.

Highlighting the emergence of rural leadership, a study by Reddy et al. (2009) discussed that the process of emergence of backward caste women leaders is the same as in the case of men. The channels of the emergence of rural leadership through caste, and family status are widely operational even in the case of the emergence of backward caste women leaders. Most of these women are from families with second and third-generation are politically involved, therefore, having adequate political socialisation as compared to first-generation women leaders. In the interest of the women representatives, Palanithwai (2005) advocated that the elected women and Dalit leaders are interested in taking up the issues of women, Dalits, and children. Apart from the assigned responsibilities and functions these Panchayat leaders look at Panchayat as a space for development activities and assume several responsibilities and work on them to bring development to their Panchayat areas. To some extent they have succeeded, but through a prolonged struggle thus showing the way to other next-generation leaders.

### ***PRIs: Gaps and Failure***

A political preference for decentralisation was seen in the 1992 adoption of PRIs that were permitted by the constitution. They have been playing an important role mainly in monitoring the number of rural development programs and in identifying their beneficiaries. However, it is also true that there are several factors responsible for the unproductive performance of PRIs in practice. Some of the issues are related to factionalism, hesitant to transfer power, infightings, groupism, creating parallel structures, communication gaps, lack of staff, issues with funds, rivalries, and so on.

Despite a great involvement through provisions, there are several problems in how PRIs function in practice. As mentioned earlier in many cases, PRIs have become distributary bodies and their representatives have become mere implementers or followers. This was against the main idea behind the establishment of PRIs which was to build capacities of the PRIs as planner, evaluators, and their representatives as local leaders leading local development as per the real needs of their areas. Some of the roadblocks that weaken its appropriate functioning include:

1. State leadership and official's unwillingness to provide real power to local elected leaders.
2. Institutional structures like the district planning boards, created to expedite decentralised planning, are either non-functional or do not give priority to PRIs.
3. Limited efforts have been made to empower elected PRI representatives with their constitutional functions; the focus has mostly been on training on the schemes and programs.
4. The state and central government have also started creating separate structures or units for implementing specific projects on education, health, and so on; this limits the role and powers of the PRIs.
5. Lack of control and autonomy over Gram Sabhas, an important feature of PRIs in terms of actual local governing practice.
6. Issues with Gram Sabhas (Datta 1999; Government of India 1963):
  - i. Lack of information about Gram Sabha. Awareness among the people in general and Gram Panchayat members (Sarpanch/Pradhan) in particular. Very few people get the information about the forthcoming Gram Sabha meetings. The usual method of communication is the beating of drums by the village *chowkidars*, which is seldom done properly.

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- ii. People are not aware of the significance of Gram Sabha. Sarpanches do not take sincere initiative to organize Gram Sabha. The ordinary villagers fail to distinguish between the Gram Sabha and the panchayat and are unaware of their rights and responsibilities as Gram Sabha members.
- iii. Sarpanches generally avoid meeting people in a village meeting because they do not want to share information and seek people's participation in discussions and decision-making. The ruling group, often, does not want to make proper announcements of the Gram Sabha meetings because of the fear of facing the opposition. Also, in some cases, the members of the opposition group deliberately stay away from the meetings.
- iv. Gram Sabhas are not being held and if held it is ritualistic. When the Gram Sabha contains several villages, there is generally the lack of a common central venue, which is easily accessible to the people of all the constituent villages.
- v. The timing of the Gram Sabha meetings has much to do with popular participation.
- vi. Decisions in Gram Sabhas are not being followed, which leads to frustration.
- vii. In places, where Sarpanches (young) are interested in Gram Sabha, their secretaries normally discourage them from doing so.
- viii. The doubtful utility of the Gram Sabha makes the village people uninterested in it. Gram Sabha is not considered a powerful body. Barring a few, no State Government gives recognition to Gram Sabha in their Act. It remains as a consultative body, an Advisory body.
- ix. The plans suggested by Gram Sabha are not supported by the higher body in general but they dictate terms. This causes poor participation of villagers in Gram Sabha; hence important issues get sidelined over issues suggested by higher body involving personal interest and hidden corruption.

According to Behar and Aiyar (2003), the absence of political will, bureaucratic resistance, elite capture in the PRIs, and the shortcomings of the elected members in performing their mandated tasks are some of the hurdles behind PRIs self-governing success. More importantly, Bandyopadhyay et al. (2003) point to the bureaucracy determining the definition of local governance and not leaving it to the 'imagination' of the 'community' this reflects a lack of political will to decentralise powers with honest intents. Hence, it appears like an overly centered local governance. On the other hand, whatever little is being done appears to be only



a token (laced with the intention to manipulate) gesture irrespective of what was hugely envisaged after the 73rd Constitutional Amendment Act.

### *Panchayati Raj in Gujarat*

Gujarat despite challenges was a pro-decentralised state as it happens to be one of the first states in India to have implemented the PR system through the Gujarat Panchayat Act (GPA), which came into effect on April 1, 1963, once it became an independent state in 1961. It is also to the credit of the state that, it upheld the PR system for quite a good amount of time, along with Maharashtra, when all the other states had failed to show any interest in the devolution of power to the people and were already writing the obituary of decentralisation together with the death of Jawaharlal Nehru (Bandi 2014).

While highlighting issues with PRIs in Gujarat, Bandi (2014) stated that Zinabhai Darji through a committee investigated panchayat affairs in Gujarat suggesting basic reforms in 1972. Darji found that panchayats were not serving the interests of 'Dalits' mainly due to the dominance of the 'upper castes'. Following up on the committee's recommendations, the Samajik Nyaya Committees (SJC) at all three levels of panchayats were established to ensure economic development and social justice for the weaker sections within the PR framework. However, in practice, nothing positive happened to the SCs, STs, or Other Backward Classes (OBCs) in terms of their economic or social welfare. The reason was that at the village and taluka levels, the SJC were ineffective in solving the problems of these sections, while at the district level, they could reach out to very few pockets. They largely failed to bring qualitative changes in the lives of the weaker sections. Nonetheless in retrospect, it cannot be ignored that the reservations in PRIs at least provided a 'political space' and confidence to the 'marginalised groups' by bringing them into the political, social, and economic mainstreams.

The PRIs in Gujarat are being undermined by the state government. The failure to evolve financial devolution to fund the PRIs is making them financially dependent on the state government. A major chunk of funds to PRIs comes through grant-in-aid from the respective state governments. In the case of Gujarat, it constitutes 20 percent of the state's revenues. Although in terms of percentage funds appear substantial, a huge part of it goes towards non-plan purposes and tied funds. Moreover, these funds are channeled to the District Panchayats, creating sub-power centers after the state government, thus leaving little autonomy to the other lower levels of Panchayats. There are 43 talukas identified as backward from a total of 224 talukas in the state. It is a coincidence that many of these talukas come under the tribal belts. There are allegations leveled against the government for deliberately overlooking these areas

for their not being its vote bank. However, the government sees it as simply an allegation to score political points. The government claims to have introduced many measures for the upliftment of the people in these areas. Like, some of the other states, Gujarat has also shown tendencies by way of introducing parallel bodies that end up competing with constitutionally recognised entities like Panchayats, thus creating contradictions and ambiguities in the system (Bandi 2014). Further, the '*Samras Gram Yojana*,' initiated by the Gujarat government which encourages consensus candidates without elections plays into the hands of traditional dominant castes power, thus not allowing the PRIs to play their role effectively in local governance with local leadership independently. The social audit reports of GS that show the poor attendance by people in the GS is also an increasing concern. The powers that could have made PRIs more independent have been deliberately pushed backstage (Guha 2014).

Bandi (2014) believes that the decentralisation process has never been put to test in a real sense in Gujarat because the state retained important powers, and second, despite whatever token powers have been transferred, a much-needed secure and conducive environment has not been created for a large section of people, who are mostly not privileged to utilise their power to their fullest potential due to the existing hostile social conditions. According to him the 'effective decentralisation' seems to lie in transferring all the items from the non-obligatory provision list to the mandatory provision list leaving no chance for any state government to retain important powers to themselves.

### **Tribal Areas, Governance and PRIs**

The tribal population in India is not a homogeneous group. Though, they are numerically small in population, yet they represent an enormous diversity of groups. They vary among themselves with respect to language and linguistic traits, ecological settings in which they live, physical features, size of the population, the extent of acculturation, dominant modes of making a livelihood, level of development, and social stratification. They are spread all over India though their geographical distribution is far from uniform. The Tribal people are associated with a territory and are dependent for their livelihood on their habitat. Their very cultural roots depend on these lands. Therefore, they guard their lands keenly. Most of the Scheduled Tribe population is concentrated in the eastern, central, and western belt covering the following nine States: Odisha, Madhya Pradesh, Chhattisgarh, Jharkhand, Maharashtra, Gujarat, Rajasthan, Andhra Pradesh, and West Bengal. About 12 percent inhabit in the Northeastern region, about five percent in the Southern region, and about three percent in the Northern States (Ministry of

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Tribal Affairs 2014: 24). Gujarat consists of nearly 14.75 percent of tribal out of the total population of the state as per Census 2011.

Despite constituting a distinct social category and special constitutional and legal provisions, Tribals have not been outside of India's larger economic and political framework. As a part of the nation-building process, tribal areas have witnessed large-scale development in terms of industry, mining, infrastructure projects such as roads and railways, and hydraulic projects such as dams and irrigation. These have been followed by processes of urbanization as well. The overall impact of these on tribes has been often loss of livelihood, massive displacement, and involuntary migration (Ministry of Tribal Affairs 2014). Moglekar (2009) recognised the tribal areas being flooded with ubiquitous contractors as these areas got exposed in the name of development. The very concept of displacement of Tribals is for facilitating implementation of development.

Economical marginalisation continues to exist among the Tribals. According to Verrier Elwin, tribals deplorable and impoverished condition is due to their contact with the outside world, which had led to indebtedness and loss of control over their land and forests. There has been a huge contrast in the provisions enshrined for Scheduled Tribes in the Indian Constitution that talked about their development as well as for safeguarding and protecting the interests of tribals. The State is doing contrary to what is claimed in tribal areas (apart from Northeast India) i.e., pursuing assimilation rather than integration (Ministry of Tribal Affairs, GoI 2014).

Over 80 percent of the Scheduled Tribes work in the primary sector against 53 percent of the general population, primarily as cultivators. However, the number of STs who were cultivators, declined from over 68 percent to 45 percent in 2001 whereas the number of tribal agricultural labourers increased from about 20 percent to 37 percent, demonstrating increasing landlessness among tribals. This trend has intensified, as it can be seen in data from the 2011 Census. It is further estimated that, in the last decade, about 3.5 million tribal people left agriculture and agriculture-related activities to enter the informal labour market. Displacement and enforced migration have also led to an increasing number of Scheduled Tribes working as contract labourers in the construction industry and as domestic workers in major cities (Ministry of Tribal Affairs, GoI 2014).

### ***Tribal Areas and Local Governance: Panchayat Extension Scheduled Area (PESA)***

In India, self-governance is a fundamental aspect of tribal culture. Tribal autonomy has been established in tribal cultures because of the institution of self-governance, which has developed through generations and has been maintained by traditional and customary traditions. It

## Functioning of Tribal Political Structures

safeguards the traditional authority of tribal communities over land, forests, and other resources and aids in creating and preserving the tribe's identity. In essence, it guarantees a tribe's autonomy. However, colonial policies regarding the purchase of land and forests impacted the tribal person's chance of survival and interfered with their culture of self-governance, thus undermining their autonomy (Nimesh 2022). Ekka (2019) has highlighted the *Parha* system of self-governance functioning in Central India among *Oraon* and *Munda* tribes. *Parha* refers to a cluster of villages in particular locality. The number of villages is fixed for a particular *Parha*. He argues that it is a socio-cultural-political institution of indigenous local self-governance for the well-being of the Adivasi community living in the region. Each *Parha* works in an autonomous fashion, though ruled by the same kinds of customary rights. Each *Parha* has a *Parha* Chief, who is called '*Parha Raja*' '*Munda Raja*', '*Parganait*' '*Manki Pir* or *Doklo Sohor*, according to different tribal communities. The *Parha* system functions in different tribe with some differences. The role and functions of *Parha* Raja (king) and other role holders are well defined<sup>xi</sup>.

Tribal communities live in about 15 percent of the country's land area. Before British colonisation, the Adivasi inhabited regions were under self-governance even though their land was a part of various kingdoms. The areas where tribal resided, were either free from any kind of rulers or they were ruled by tribal chief-men. The non-tribal kingdoms were brought into the British rule by defeating the kings, but any intrusions in tribal regions were resisted by the Adivasis. The invasions of the British in the lands of Adivasis, particularly the forested region, gave rise to relentless revolts. The hostile terrain, limited economic interests, failure to subdue, and control the people led to the enactment of special laws. Thus, the tribal areas were declared as 'non-regulated areas' (Bijoy 2012). Later, at the beginning of the twentieth century, the British undertook the cooption policy and started maintaining records of tribal areas, extended services to these areas, and efforts to build relationships with tribal chief men were made with the aim of bringing them under their regime. In independent India, the Fifth and Sixth Schedule of the Indian Constitution were created for these non-regulated areas. The Sixth (VIth) Schedule gives special provision for north-eastern states while non-regulated areas in nine states (Jharkhand, Orissa, Andhra Pradesh, Madhya Pradesh, Chhattisgarh, Maharashtra, Gujarat, Rajasthan, and Himachal Pradesh) of India converted into 'Scheduled areas' (SA). Like the British regime, special powers have been given to the governors of these states for peace and good governance of the tribal areas. No common laws are applicable to Scheduled Areas unless the Governor agrees to it. The experience shows that these powers are rarely exercised by the Governor (Parmar et al. 2007).

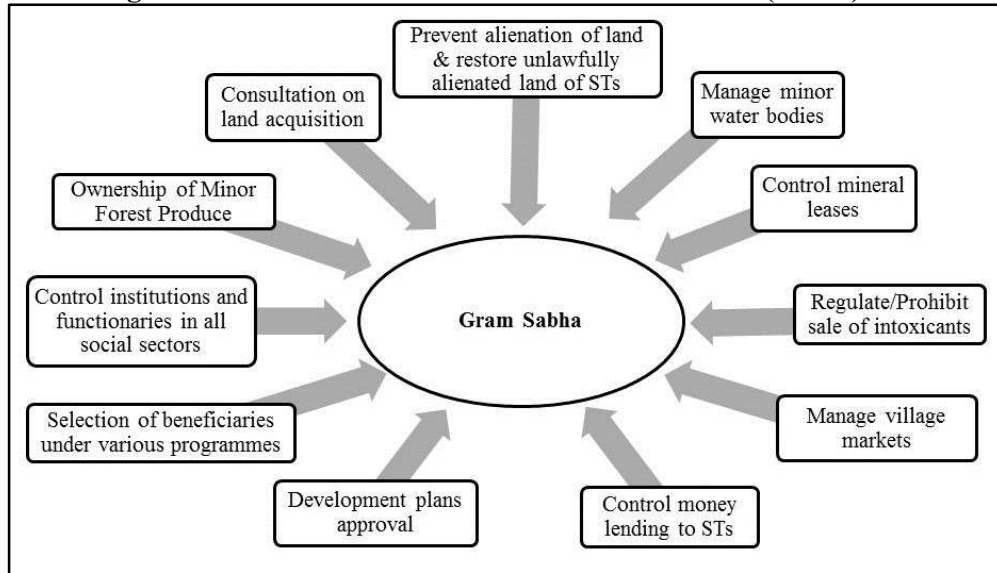
## Functioning of Tribal Political Structures

The enactment of the 73rd Constitutional Amendment Act and the subsequent state-wise Panchayat Raj Acts in India have brought forward the significance of grassroots democratic processes. Looking into the peculiarities of the tribal people, a committee was formed under the leadership of Dilip Singh Bhuria by the Union Government to suggest a separate system of local governance for Tribals. Many of the principle recommendations of the Bhuria Committee were accepted by the Union Government and the legislation was passed, known as the Panchayat (Extension to the Scheduled Areas) Act, 1996 (PESA) (Sisodia 1998). The Act was a grant for self-governance and autonomy (administration and control) in Tribal areas in India under the Fifth Schedule<sup>xii</sup>. The Bhuria Committee, highlighting the dispossession and exploitation suffered by the tribals over the decades on account of their “simplicity and ignorance,” recommended the formulation of such a law. This act seeks to extend the provisions of Part IX of the Constitution, which is referred to in clause (1) of Article 244 and requires the legislature of a State not to make any law under (Part IX). That is inconsistent with any of the features provided under Section 4 of the act. At present, Fifth (V) Schedule Areas exist in 10 States: Andhra Pradesh, Telangana, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, and Rajasthan<sup>xiii</sup>.

The Bhuriya Committee report spelled out as its basic premises that the scheme of tribal governance should be pre-eminently related to participative democracy, particularly at grassroot tiers. Autonomy for institutions under contemplation at grassroots and district levels should bear a living relationship with self-management practices that have been in vogue in tribal areas. The Committee had suggested that the Tribal plan with statutory backing must ensure a place of honour in terms of equality in the new economy of the area for all (Muglekar 2009).

The basic principle of the PESA Act for tribal regions covered by Schedule V is that it directly transfers power and authority to Gram Sabha and Panchayats rather than delegating it. It recognised the rights of tribals over community resources to protect and conserve the traditions and customs of the people as well as their social, religious, and cultural identities. PESA states that Gram Sabhas has the authority to protect their cultural identity, communal assets, conflict resolution procedures, and most importantly, the right to approve government plans, programs, and projects within their supervision. Furthermore, before purchasing land for development in scheduled areas, the appropriate Gram Sabhas or Panchayats shall be contacted. Therefore, it clears the way for participatory democracy (Ambagudia 2010: 65; Sonkamble and Kombinoor 2023). Overall, the vested powers of Gram Sabha under the PESA Act include:

**Figure 2.2: Vested Powers with Gram Sabha under (PESA) Act**

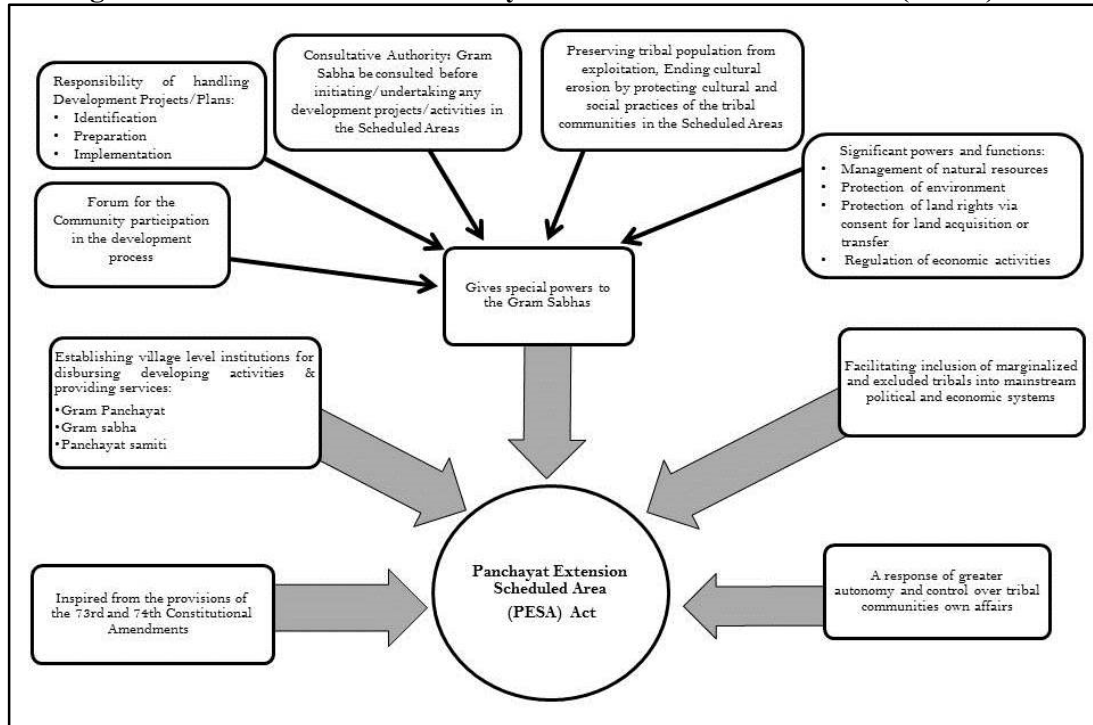


Source: By Authors.

According to PESA Act's requirements, all laws pertaining to the Panchayats in Schedule V territories must be under local customs, social norms, religious beliefs, and customary methods of resource management. Additionally, it instructs the state government to grant Gram Sabhas and Panchayats the necessary authority and powers to function as institutions of local self-government, particularly in relation to matters such as sale enforcement, ownership of minor forest products, the ability to prevent land alienation and restore illegally alienated land, control over village markets, and money lending, among other things. This act was intended to provide indigenous peoples with dignity and to integrate them into society (Ambagudia 2010: 65).

The Act recognizes the existence of the institution of the tribal community and to check the validity of traditional customs and practices. It makes it mandatory for the legislatures of the state to a State Legislation that shall align with the customary law, social, and religious practices, and traditional management practices in community resources. "It goes on to state that the Gram Sabha shall be competent to safeguard the traditions and customs of the people, their cultural identity, Commercial resources, and the customary mode of dispute resolution. Clause 4 (a) states that a village should ordinarily consist of a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs (PRIYA 1997).

**Figure 2.3: Features of the Panchayat Extension Scheduled Area (PESA) Act**



Source: By Authors, Various References

The law of PESA aimed for autonomy of the Scheduled Areas of India (notified areas by President as predominantly inhabited by tribal communities), but the same has not been achieved in the large areas. Rather the tribal areas have struggled to bring the proposed things to happen in real life. PESA provides more power to Gram Sabhas to manage the affairs of the Scheduled Areas, however, it does not explicitly state that the jurisdiction of line agencies like the irrigation and forest departments is superseded by the Gram Sabha's ability to manage its traditional resources. Inevitably, the interpretation of departments with greater authority has continued to be dominant. Although the PESA grants the Gram Sabha the authority to stop land alienation in certain regions and return alienated property to designated tribes, this authority is only applicable to the private land that is being alienated from private parties. The appropriation of state land by the state does not feature anywhere, even though this is an equally prevalent issue (De and Jana 2007: 24). Table 2.2 provides the details of the functional devolution of PESA-governed states.

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**Table 2.2: Provision of the Panchayat (Extension to the Scheduled Areas) Act, 1996 - Functional Devolution on Panchayats**

S. No	Components	Mandatory Provision	Status
1	Definition of Village	A village consists of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs following traditions and customs	<ul style="list-style-type: none"> <li>All States adopted this definition except Maharashtra, which is silent on this subject.</li> </ul>
2	Status and Functions of Gram Sabha	Every village will have a Gram Sabha which will be competent to safeguard and preserve the traditions and customs of the people, and their cultural identity.	<ul style="list-style-type: none"> <li>All State Acts follow the Central Act.</li> <li>However, regarding the customary mode of dispute resolution Andhra Pradesh Act puts a condition that it will be subject to 'without detriment to any law for the time being in force.</li> <li>The Orissa Act adds that it should be consistent with the relevant laws in force and harmony with the tenants of the Constitution and Human Rights</li> </ul>
3	Constitution of Panchayat	Panchayats will be constituted at village level with reservations for Scheduled Tribes in the manner prescribed in Part IX of the Constitution	<ul style="list-style-type: none"> <li>Andhra Pradesh and Himachal Pradesh Acts have extended the reservation of elective seats and chair persons to both Gram Panchayats and Mandal/intermediate Panchayats.</li> <li>The Maharashtra Act does not mention it.</li> </ul>
4	Acquisition of land for development projects and resettlement of displaced persons	Prior consultation with Gram Sabha or Panchayats at the appropriate level shall be made mandatory	<ul style="list-style-type: none"> <li>In Andhra Pradesh, Gram Sabhas has no role.</li> <li>Gujarat assigned this power to Taluka Panchayat, however, no provision relating to the coordination of such projects at the State level.</li> <li>Orissa assigned the power to Zilla Panchayat with no role for the Gram Sabha/Gram Panchayat</li> </ul>
5	Planning and Management of Minor Water Bodies	Entrusted to Panchayats at the appropriate level	<ul style="list-style-type: none"> <li>Maharashtra Act does not make any mention of it.</li> <li>Orissa assigned power to Zilla Parishad instead of Gram Sabha/Gram Panchayat</li> </ul>
6	Grant of Prospecting licence or mining lease for minor minerals	Prior recommendations of Gram Sabha or the Panchayats at the appropriate level shall be made mandatory.	<ul style="list-style-type: none"> <li>Andhra Pradesh- gives primacy to Gram Panchayat in place of Gram Sabha.</li> <li>Gujarat- does not make mention of it.</li> <li>Himachal Pradesh- retained primacy of Gram Sabha but the term 'shall be made mandatory' has been replaced by 'shall be taken into consideration.'</li> <li>Madhya Pradesh – No mention in the Madhya Pradesh Panchayat Act but the relevant Subject Act Mines and Minerals (Regulation and Development Act) 1987 amended to assign powers to Gram Sabha and Panchayats at an appropriate level.</li> <li>Maharashtra- assign the powers to Gram Panchayat. Gram Sabha has no role in the matter.</li> <li>Orissa - gives power to Zilla Parishad.</li> </ul>



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7	Grant of concession for Exploitation of minor minerals by auction.	Prior recommendation of Gram Sabha or Panchayats at appropriate level shall be made mandatory.	<ul style="list-style-type: none"> <li>• Andhra Pradesh and Maharashtra assigned the function to Gram Panchayat in place of Gram Sabha,</li> <li>• Gujarat- No mention of it.</li> <li>• Madhya Pradesh- Madhya Pradesh Panchayat Act does not make mention of it but the Subject Act Mines and Minerals (Regulation and Development) Act, 1987 amended to assign the power to Panchayat at an appropriate level.</li> <li>• Orissa- assigned the power to Zilla Parishad.</li> </ul>
8	Enforce prohibition/regulate or restrict sale & consumption of any intoxicant	Panchayats at the appropriate level and the Gram Sabha to be endowed with the powers.	<ul style="list-style-type: none"> <li>• All State Acts follow the Central Act except Madhya Pradesh which does not make provision for it in its PR Amendment Act. However, the Subject Act - Madhya Pradesh Excise Act 1915 has been amended to give powers to Gram Sabha.</li> </ul>
9	Ownership of Minor Forest Produce (MFP)	Panchayats at the appropriate level and the Gram Sabha endowed with the powers of ownership	<ul style="list-style-type: none"> <li>• All State Acts follow the Central Act by assigning this power either to the Gram Sabha or to the Gram Panchayats.</li> </ul>
10	Prevention & Restoration of Tribal Alienated Land	Panchayats at appropriate level and the Gram Sabha to be endowed with this power.	Gujarat, Himachal Pradesh, and Madhya Pradesh Panchayati Raj Amendment Act do not make provision for this. However, in the case of Madhya Pradesh, the Madhya Pradesh Land Revenue Code, 1959 has been amended to give power to Gram Sabha.
11	Manage Village Markets	Panchayats at an appropriate level and the Gram Sabha to be endowed with this power.	<ul style="list-style-type: none"> <li>• Gujarat and Maharashtra Amendment Acts are silent on this matter.</li> </ul>
12	Money lending to The Scheduled Tribes	Panchayats at an appropriate level and the Gram Sabha to be endowed with this power.	The Madhya Pradesh Amendment Act does not make a mention of this subject.
13	Exercise control over institutions and functionaries in all social sectors.	Panchayats at an appropriate level and the Gram Sabha to be endowed with this power.	<ul style="list-style-type: none"> <li>• All State Acts except Madhya Pradesh assign this power either to Gram Panchayat or Panchayat Samiti/Mandal Parishad.</li> <li>• The Madhya Pradesh Amendment Act has given this power to the Gram Sabha and the Janpad Panchayat or the Zilla Parishad.</li> </ul>
14	Control over Local Plans and Resources including Tribal Sub Plans.	Panchayats at an appropriate level and the Gram Sabha to be endowed with this power.	<ul style="list-style-type: none"> <li>• State Acts of Andhra Pradesh, Gujarat, Himachal Pradesh, and Orissa have assigned the power to panchayat Samiti/Taluka Panchayat/Mandal Parishad</li> <li>• While Madhya Pradesh and Maharashtra Acts assign this power to Gram Sabha.</li> </ul>

Source: Report of the Task Force on Panchayat Raj Institutions (PRIs), Planning Commission, New Delhi, December 2001: 98-100.

### ***Operational Failure of PESA***

Despite its goals, the PESA Act has faced several challenges in its implementation and has largely seen failure in harbouring local governance in Scheduled Areas in the country. Some of the reported reasons include (Yadav 2016; Sudipta 2015; Bijoy 2012):

1. Most States have not framed rules for implementation of PESA provisions in the states so far.
2. State governments do not make serious efforts to implement PESA. The reason is to hold on and control and govern the PESA areas through the centralised administration and laws that weaken what PESA provisions offer the tribal community. There is an unwillingness on their part to surrender the control of resources and functions that are given to the Gram Sabhas by PESA.
3. Lack of coordination among the government functionaries. Its implementation is vested in two different ministries of the Union Government - the Ministry of Panchayati Raj and the Ministry of Tribal Affairs - which virtually function in isolation.
4. Internal conflicts between the line departments such as Forest, Mining, Excise, etc, and State Panchayati Raj departments are inevitable.
5. Lack of awareness: Many tribal communities in the Scheduled Areas are not aware of the rights and entitlements of the PESA Act.
6. Conflicts with other laws: Comparatively to State Acts, the PESA Act has been much diluted in the process of approval by the states. There are several state-subject laws and policies that are not in conformity with PESA. The PESA Act can sometimes conflict with other laws, such as the Forest Rights Act and the Wildlife Protection Act, which can hinder its implementation. Perhaps the biggest hurdle comes from the Forest Department officials who have historically derived power from the Indian Forest Act of 1927, which puts them in the twin roles of police and landlords. Thus, they are in pain to see the ownership of minor forest produce go in the hands of tribals whom they consider as 'encroachers. For them, the forest lands are owned by the state.
7. Land alienation and consequent displacement of poor tribals for the so-called developmental activities like hydropower projects, highways, dams, etc. are nothing new in free India despite the protective central and slats laws- This unfortunate phenomenon has become even more widespread in the liberalization, privatisation, and globalisation regime that was started in the early 1990s. Even PESA provisions have failed to provide any sense of security and relief to the tribal communities which have been living on the

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lands that rich in minerals and other precious raw materials. These rich resources are eyed by the corporate sector.

8. Currently, there is a great boom in the mining industry. Thus, there is a great financial incentive to ignore the PESA. It was mentioned that PESA implementation would put an end to mining projects. Therefore, the tribal communities cannot do much but bear the brunt of the mining industrialisation process. The immense profitability of mining slopes the political and administrative agenda in favour of industry and away from protective laws like PESA for the people.
9. Limited coverage: Tribal communities in non-scheduled areas of the country are not covered by the Act and do not have access to its provisions.
10. Limited resources: Gram Sabha and the Gram Panchayat often do not have sufficient resources to carry out their functions effectively.
11. Lack of trained personnel: many Gram Sabhas and Gram Panchayats lack trained personnel to carry out their functions effectively. The important capacity building of Gram Sabhas and Panchayats has not been forthcoming.
12. Political interference: requires that the Gram Sabha be consulted, but the decisions of the Gram Sabha are often not respected and are subject to political interference.

### ***PESA in Gujarat***

Although the parliament enacted the 'Panchayats Extension to the Scheduled Areas' (PESA) in 1996, Gujarat could make provisions only in 1998 through the GP (Amendment) Bill. The nodal agency which implements and coordinates the PESA in Gujarat is the Tribal Development Department. The Gujarat Extension Act denies inclusion of several powers which actually are expected to be the exclusive domain of GS. For instance, solving local disputes in inhabitant's customary modes are recognized under the central act, while in Gujarat, the GS is not empowered; recommendations for granting concessions (license/lease) to exploit minor minerals in the scheduled areas through auction at appropriate levels should have been the prerogative of the GS, but it is not the case. Other powers, viz., prohibition, prevention of alienation of land, management of markets, money lenders control over institutions and functions in social sectors, control over local plans, planning and management of minor water bodies are kept away from the GS by entrusting the same to the other levels of Panchayats (Bandi 2014).

Gujarat Panchayats and Tribals Gram Panchayat Act (GPA), 1961, was revoked following the 73rd Constitutional Amendment Act, while the GPA, 1993 was implemented

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with effect from April 15, 1994. Later, GPA, 1993 was amended on the lines of the 1998 bill. This bill applied to tribal Talukas (33 to be precise across 7 districts). The main features of this bill were: (i) Gram Sabha (GS) was made more powerful; (ii) control over Minor Forest Produce (MFP) and the subsequent funds going into village funds was given to Gram Panchayats (GPs); (iii) 50 percent reservation for tribals across all the tiers of Panchayats; (iv) consultation with Taluka Panchayat for acquiring land under Land Acquisition Act, 1894, was made mandatory; (v) Bombay Money Lender Act, 1946 was amended to free Tribals from exploitation; (vi) GPs were given control over the management of water bodies; and (vii) District Panchayats having powers to collect revenue superseding the district collector. It is mentioned that though the bill appears to be complemented with the Bhuriya Committee recommendations, but the inclusion of Taluka for consultation to acquire land, routed the precise intention of empowering GSs (Bandi 2014).

The self-governance under the PESA is a myth in Gujarat. Since the Panchayats (Extension to Scheduled Areas) Act was passed in 1996, it has remained a dead letter in Gujarat (Sonavane & Gandhi 2018). The residents of Bilmad village in Dang district gathered during the wee hours of June 22 to organize the first Gram Sabha under the provisions of the Panchayats (Extension to Scheduled Areas) Act (PESA) 1996. In fact, Bilmad was organizing one of the first Gram Sabhas in the district under the Act. But two hours before it was scheduled to begin, the talati (panchayat secretary) served a notice from the Gram Panchayat to the villagers. “The notice stated that the Gram Sabha could not be conducted since it was not organized in consonance with the Gujarat Panchayati Raj Act, 1993. There was no mention of PESA in the notice,” said Gulabbhai Pawar, a resident of Bilmad and designated chair of the Gram Sabha.

For Bandi (2014) in Gujarat, the issue that is affecting the autonomy of panchayats is JFM committees regarding Minor Forest Product (MFP). The GPA, 1993 provides for income generated through MFP as part of the panchayat fund, however it is the Joint Forest Management (JFM) committees who grab the income thus denying income to a larger proportion of the population under the respective Panchayats. He suggests that to ward off such occurrences, the state government should take care to converge or link such new bodies to Panchayats so as to leave nothing for ambiguity and to avoid inventing new bodies by passing the constitutional entities (Bandi 2014). Reportedly, transferring community based natural resources to the JFM is understood as nothing but an exercise by the government to keep land under its domain through the Forest Department (FD), because JFM is now looked at as a tool of the FD in the name of participatory forest management. However, with awareness being

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created about community claims by the civil society, the tribals and other forest dwellers are now submitting applications under the Forests Rights Act (FRA<sup>xiv</sup>) for community rights over their natural forest resources.

The Gujarat administrative mechanism of tribal development is popularly known as the ‘Gujarat Pattern’ in which the budget of the tribal sub-plan is ploughed back to different departments to implement schemes in the tribal area. It also may be stated here that, in Gujarat, the MGNREGA is being implemented by the administration at the taluka level. The Gram Panchayats only plan and approve the works. Perhaps the years of implementation of schemes by the administration while delivering services, have given inadequate emphasis on decentralised governance, particularly as enshrined in PESA. The scheme-based development without empowerment of tribal communities has created a feeling even among the tribal leaders that mainstreaming of tribal communities will only be possible by participating in the implementation of schemes and not strengthening governance based on custom and tradition (Bijoy 2012).

### Notes

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<sup>i</sup> A social institution representing wide number of folk populations performing a number of functions in an democratic set up

<sup>ii</sup> Sabha comprised the elite members who exercised effective control over the king’s power.

<sup>iii</sup> Samitis were considered to be a popular assembly.

<sup>iv</sup> Under this resolution of 14th December 1870 passed by Lord Mayo, certain subjects were transferred to the provincial governments by the Central Government. Provincial governments were allowed to devise for themselves a mechanism whereby local taxes could be collected to meet the expenses of the local people.

<sup>v</sup> Lord Ripon who introduced the elective system at the local level is considered to be the father of modern self-government in India and the Resolution of 1882 passed by him (which is considered to be the Magna Carta of local self-governance in India) marks the beginning of local self-governance in India. He considered that administrative efficiency and public education constituted the primary reasons behind empowering local governments (Prasad 2006)

<sup>vi</sup> To know some of the prominent features of the 73<sup>rd</sup> Amendment Act, 1992, see Annexure 1.

<sup>vii</sup> The regular standing agenda may include inter alia the confirmation of minutes of previous meeting and action taken report there on, review of receipt and expenditure, consideration of Audit and social audit reports, review of implementation of Citizen’s charter with special focus on service delivery, proper selection/ sanction/ monitoring of progress of infrastructure works and identification of the correct beneficiaries for the various welfare schemes of the Government in the priority areas (Ministry of Panchayati Raj, 2021).

<sup>viii</sup>[https://loksabhadocs.nic.in/lssccommittee/Rural percent 20Development percent 20and percent 20Panchayati percent 20Raj/17\\_Rural\\_Development\\_and\\_Panchayati\\_Raj\\_24.pdf](https://loksabhadocs.nic.in/lssccommittee/Rural%20Development%20and%20Panchayati%20Raj/17_Rural_Development_and_Panchayati_Raj_24.pdf)

<sup>ix</sup> [https://www.socialwatch.org/sites/default/files/pdf/en/pris2003\\_ind.pdf](https://www.socialwatch.org/sites/default/files/pdf/en/pris2003_ind.pdf)

<sup>x</sup> *Samaras Gram Yojana* scheme was launched by Panchayat, Rural Housing & Rural Development Department, Gujarat Government in 2001. It is a scheme which removes enmity, plotting, hostility in the village. This scheme plays important role in improving and maintaining unique culture of No party and symbol in gram panchayat election. Village people gather and decide representatives from among them unanimously for the administration of Gram Panchayat, where many persons give up their rights, act in unsparing way for society and adopt noble approach for higher purpose of welfare of the people. Under this scheme, Gram Panchayat elects unanimously with no party no symbol and declares village as a Samaras gram. Village gets samaras award or a financial grant for village development. Amount is mentioned 60,00 to Gram Panchayats having population up to 5000 and

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1,00,000 to other Gram Panchayats. In all 3,794-gram panchayats have become samaras in six stages till now. The incentive given by the government is used for community developmental works of the village of pure drinking water scheme, internal approach roads, facilities of street lights, primary school rooms, primary treatment, drainage and sewerage scheme, preliminary facilities etc.

<sup>xi</sup> Parha Raja never works as an individual but as a representative of an institution. The chief functions of the Parha Raja are: i) To solve all kinds of disputes within the Parha. ii) To deliver justice. iii) To maintain peace and harmony in the Parha. iv) To maintain and promote social and cultural institutions. v) To lead the annual social functions of Bisu Sikar and Parha Jatra and other cultural practices and vi) To ensure justice in the Parha-villages. (Ekka 2019)

<sup>xii</sup> This act covers control of Scheduled Areas as well as of Scheduled Tribes residing in the areas other than States of Assam, Meghalaya, Tripura and Mizoram.

<sup>xiii</sup> <https://panchayat.gujarat.gov.in/en/panchyati-raj>.

<sup>xiv</sup> The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. It is popularly known as the Forests Rights Act (FRA). For more details on Act see: [https://tribal.nic.in/FRA.aspx#:~:text=The percent 20Forest percent 20Rights percent 20Act percent 20\(FRA,and percent 20other percent 20socio percent 20cultural percent 20needs and https://tribal.nic.in/downloads/FRA/FRAActnRulesBook.pdf](https://tribal.nic.in/FRA.aspx#:~:text=The percent 20Forest percent 20Rights percent 20Act percent 20(FRA,and percent 20other percent 20socio percent 20cultural percent 20needs and https://tribal.nic.in/downloads/FRA/FRAActnRulesBook.pdf)

## Chapter 3

### Profile of Study Areas: An Empirical Insights

Since prehistoric times Indian culture comprises urban and rural cultures. India is made up of villages as 73 percent of its people live in villages while 26 percent live in cities. The rural society was known by different names in ancient India such as 'kula', 'dhana', 'puva' communities, etc. The village is the smallest unit of the social organization of human society. Previously, many social ills and superstitions were responsible for people of the villages lagging behind their urban counterparts. Many groups were backward especially from the socio-economic and educational point of view.

This chapter deals with the profile of the study areas with respect to the demographic profile, educational status, health facilities and other features of the studied villages. The description is based on both the secondary sources and empirical data collected from the field.

#### I

##### (I). Kanadha Village

Kanadha village is in Navsari District. The district was bifurcated from Valsad district in 1997 and is situated on Arabian coastline at southern border of Gujarat state. The geographical total area of district is 2,246 sq.k.m. There are 13 towns and 372 villages in this district. As per 2011 census of India, it has a population of 13,29,672 in 2011 out of which 6,78,165 are male and 6,51,507 are female. The population of district is estimated to be 18,48,245 in 2023<sup>i</sup>. Literate people are 10,01,909 out of which 5,39,471 are male and 4,62,438 are female. The total workers in the district are 5,91,834 out of which men are 4,07,881 and 1,83,953 are women. Total 98,259 Cultivators are depended on agriculture farming out of which 76,928 are men and 21,331 are women. Total 1,62,145 people works in agricultural land as labour, with 95,054 men and 67,091 women. Navsari District sex ratio is 961 females per 1000 of males.<sup>ii</sup>

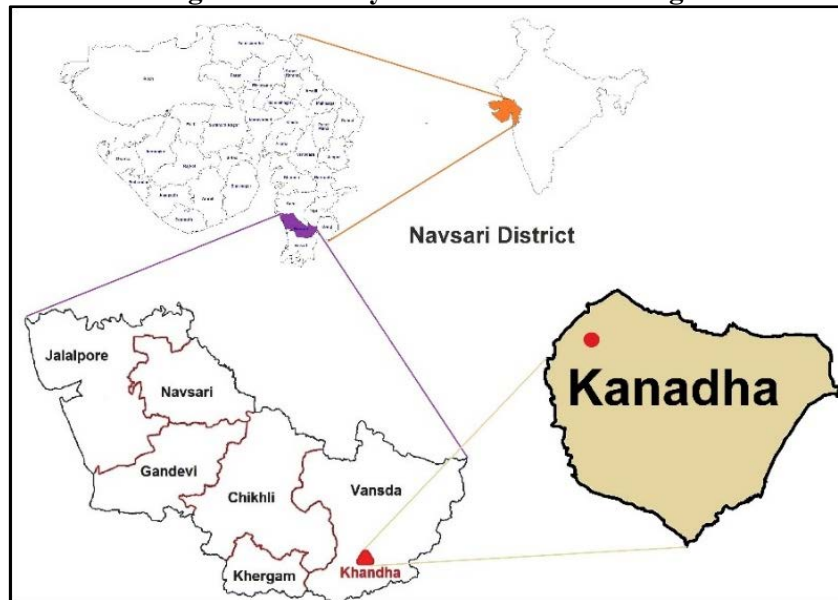
The Navsari district is Gujarat's ancient and historical city. The city's first settlers were the Chalukyas, followed by the Rashtrakutas, and subsequent settlements by the Parsis. During 7<sup>th</sup> century Shila Dritniya Guru Naavdrdha is known to have stayed in present Naagtalavdi area. Due to this area, it became famous as "Naag Mandal" and gradually with passage of time this district's got its present name 'Navsari'. In ancient times Navsari was known for its trade and industry. Before AD, amongst Greek, it was mentioned as a famous port of western coast of India. Its weaving work was praised and "Baasta" meaning "Jug" became famous and foreign

traders visited Navsari to learn about weaving. Navsari also became famous for “Zardosi” work (gold embroidery).

### ***History of the village***

Kanadha village is located in Vansda taluka of Navsari district in Gujarat state. It is 20 kilometer away from Vansda taluka. To the east of Vansda is Dang, to the south is Dharampur taluka, to the north is Chikhli taluka as well as Vansda taluka situated 121 meters above sea level. Kanadha village is spread over 1607 hectares of which 1263 hectares is forest land, permanent pasture land and grazing land, 4 hectares of wasteland, 275 hectares of cultivable land, 275 hectares of fields, 10 hectares are under irrigation. The population of the village according to the 2011 census is 3,550 comprising 1,795 males and 1,755 females. Kanadha village has Tribals population comprising Warlis, Kunbis and Kolcha groups- migrated or brought from various parts of Maharashtra. Overall, the 70 percent of the population of the village is Warli, 20 percent is Kukna/Kunbis and 10 percent is Kolcha.

**Figure 3.1: Study Area of Kandha Village**



Narrating about the village Maganbhai, an elderly man (*Vadil*) stated that the village dates back to British rule and currently the eighth generation lives in the village. It has derived its name from ‘*karamda*’ (kind of berry-sized fruits, commonly used as a condiment in Indian pickles and spices) found in abundance in the region. The Warlis, especially the ‘*Tumda*’ clan among them were the first to arrive in the village from Maharashtra and Selvasa (capital of



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Dadra and Nagar Haveli) and constitute the majority population in the village. Alcohol addiction is a major problem among the Warlis. Their houses are semi-pucca. The Warlis are poor and earn livelihood mainly through doing casual labour. Due to poverty the families do not send their children to school hence the level of education among them is low.

He further states that the primal group of Kolchas were bought from Guhi Chichpada in Maharashtra by Ikalbhai Gabhanbhai and Manabhai for one rupee and twenty-five paisa. It included the family of Dashubhai and his wife which were bought for agricultural labour and also to make Dashubhai a *Jagaliya*<sup>iii</sup>, one from Kolcha group. The Kolchas households at present in the village ties to the primary and extended families of the couple. Since they were originally bought for agricultural labour, they are landless and do not possess agricultural land and for livelihood work as labourer in the fields of landowners in village or go for daily wage labourers to nearby towns/villages. During harvesting season many people among Kolchas (also Warlis) migrate for short term (4 to 6 months) in various districts of Maharashtra and Gujarat for Sugarcane cutting and in fruit farms. Like Warlis the alcohol addiction among Kolchas is also high. Their houses are not pucca and the level of education among the Kolchas is also not high but better than Warlis. Once the schooling from village is completed (mainly primary or upto 8<sup>th</sup> school, which is available in the village), many children not go for further education. They either remain in homes, or start assisting their families, which holds true for both girls and boys. Kunbi (also known as Kukni/Kukna) also came from Maharashtra from Kukna tribe in which the Ganjubhai Jadav family was the first to arrive. Ganjubhai inherited 08 acres of land and has bought 80 acres more. His extended families and relatives constitute enough numbers of households in the village and many are into salaried employment. Many being descendent from same family, hence the Kuknas in the village are wealthy mainly because land holding among them is high. Unlike Warli and Kolcha the level of education among Kuknas is also high which is due to factors like better economic conditions and low level of alcohol addiction. Their houses are also well-equipped with basic amenities unlike other two tribal groups.

### ***Education Institutions***

There are 5 schools in the village. Two lower primary schools with classes from I to V, one is middle school having classes from I to VIII and one secondary/higher school (grant-in-aid) with classes IX to XII. Yogeshbhai, Principal of middle school stated that there are total 252 students with 130 boys and 122 girls enrolled in the school. In Kelipani Varga Shala (primary school) there are total of 78 students studying of which 44 are boys and 34 are girls. In another

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primary school, Samarpada Varga Shala, total 59 students are enrolled with 24 boys and 35 girls. In Khora Faliya Secondary School (grant-in-aid) total 61 students are studying in classes I to V of which 26 are boys and 35 are girls. Shree Girijan Secondary School, Kandha (grant-in-aid) has a total of 311 students studying in classes IX to XII of which 173 are boys and 138 are girls.

All the schools in village are Gujarati medium and government run schools. One school i.e., Girijan Secondary school is a private school started by village Patil (head of TP), but receives government funds. The schools are equipped with all facilities for students such as mid-day meal centre and clean drinking water. The teachers are trained and qualified.

**Image 3.1: Primary Class Children and Celebration of School Anniversary, Khora Faliya Secondary School, Kanadha**



The presence of educational institutions in the village vicinity also reflects in the educational level of its residents. The number of persons with education upto Class X in the village are more among the Kunbis with the level of education being as high as 70 percent. As mentioned earlier, the Warlis are not highly educated and not as many persons with education upto Class X are to be found among them. The Warlis mainly worked as farm labourers and they take their children along with them as labourers that affect the level of education. The educational level of Kolchas is better than Warlis. It was found that many Kolcha youth go to work in companies. Due to the kind of work in companies which required certain schooling

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certificate, hence they study up to Class XII before joining companies. In Kolchas some girls are enrolled in ITI for sewing classes.

Overall, the total literacy rate of Kanadha village is 61.9 percent of which literacy rate among males and females are 75.6 percent and 48.1 percent respectively. Lower female literacy is also because a large number of girls are into farm labourers. They either dropout from the school or never enrolled by the families.

### ***Health facilities***

The health care system of the village consists of sub- Health Centre. The Primary Health Centre (PHC) is in Ankhaj which is 9 kilometers away. The Public Health Centre is in Limzar which is 18 kilometers away. The nearest government hospital (Cottage Hospital, Vansda) is located in the taluka at a distance of 20 kilometres from the village.

A female nurse goes door to door twice a month to offer medical assistance in the village. Other than her there are 3 Asha workers in the village offering health related services.

### ***Anganwadi Centres***

There are 04 Anganwadis in the village located in different *faliyas* or lane. There are 66 children in the age group of 0 to 6 years in Khadakpani *faliya*, 104 children in the age group of 0 to 6 years in Khora *faliya*, 69 children in the age group of 0 to 6 years in Mala *faliya*, and 59 children in the age group of 0 to 6 years in Bari *faliya*.

**Image 3.2: Anganwadi Worker with Investigator, Kanadha**



### ***Other facilities***

Roads in Kanadha village are in good shape but there are no asphalt roads<sup>iv</sup> in the interior quarters except in some. But the village is well connected to the taluka headquarters and the

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district headquarters by pucca or concrete roads. There is an asphalt road leading to the main city of Vansda. Electrification in the village is 100 percent. The village falls under the public water distribution scheme. Drinking water is availed from borewells, wells and hand pumps. There are 11 hand pumps and 5 overhead public water tanks. As village is covered under public water supply scheme, recently tap connections have been given to all the village households under the Wasmo Scheme<sup>v</sup> but there is no water supply, in some village quarters but have tap connections. The 80 percent of households in Kanadha village have toilets, 20 percent households do not have toilets. For public conveyance connectivity in the village bus service is available twice a day. Hence, as means of transport there are more use of private jeeps and personal vehicles. There are no banking facilities in the village like nationalized bank or cooperative bank. There is a private bank, Gramin Bank in Khanpur, 11 kms away from the village. Other available facilities in village are a fair price shop, 02 milk dairies, post and telegraph office. Paddy and finger millet are the chief crops cultivated by the people.

### **Culture: Major Festivals and Marriage Customs**

#### ***Festivals celebrated in the village***

Social customs and rites in the village are traditional as practiced by elders. Modern customs have also been adopted. According to Kanadha village elder Maganbhai (*bhagat* i.e., person acknowledge as village priest) the festivals of the Tribals are considered backward and hence sidelined or are distanced from tradition and celebrated as mainstream festivals. Festivals occupy central place in the traditional social system of the Tribals. Besides Holi and Diwali Tribals celebrate festivals in every season of the year in keeping with the annual cycle of seasons. Festivals are not merely religious and ritualistic but are an intrinsic part of their lived life. Festivals instill newness in the lives of tribals. They are remarked as entertainment or a way of life as they are interconnected to their lives and life-cycle activities.

#### ***Nandarvo (Festival of new grass sprouts)***

Nandarvo does not fall on a particular date. When the rains foster lush vegetation, the village elders (*panch*) with the help of the village priest fixes the date for celebrating *Nandarvo*. There is no idol of *Nandarvo Dev* (deity) so the worship is not person-oriented but rather Nature-oriented. There is a specific spot in every village to carry out worship. The spot where the village cows are gathered known as *gothan* is considered a sacred spot for worship. *Nandarva Dev* is worshipped on that day with the sun as witness. The *Jagaliya* announces the day of the

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festival. On this day the village *panch* decides the wages for labour to be given to the tractor drivers, woodcutter, Pavri labourers which are implemented throughout the village.

On the festival day the people go to the river or ravine to rub the iron or bamboo goad used to drive bullocks with *dhili* leaves and wash it with water to purify it. Then it is carefully taken home. In order to maintain its purity it is not placed on the ground. It is anointed with castor oil. Then the *pujaro* (priest) performs a ceremony after all the goads from the village have been collected. He chants mantras. A stream of alcohol is poured on the ground. With the sun as witness, cooked green vegetables are offered to the deity. Thus, permission is taken from the deity to consume green vegetation that grows after the first rains. The festival of the deity is celebrated with the aim that people gain health after consuming green vegetation. *Nandarvo Dev* is the deity that helps in ploughing Mother Earth and making the earth cultivable. The belief among the Tribals is that *Nandarvo Dev* is synonymous with *Nandarvo*. There is also a belief that festival protects crops from snakes and insects. It is from this day onwards that Tribals start consuming greens that the earth bestows upon them. They dance together. They celebrate by cooking favorite dishes. The wages for the whole village are decided that day.

### ***Vagh Dev (Tiger Deity)***

People of all communities of Kanadha village celebrate the festival of *Vagh Dev*. On the designated day the village people abstain from work and gather together at the village precincts or hill. After the puja they sacrifice a goat for the tiger. They place milk for the cobra in teak leaves.

**Image 3.3: Village Priest (Bhagat) doing Vaghdev Puja, Kanadha**



### ***Terasan***

*Terasan* festival has a direct connection to Nature. 'Tera' is a wild vegetation. Mostly they grow along river banks and resemble yam leaves. A vegetable dish is cooked from them. This festival is celebrated ten or fifteen days after the rains in the month of June. The *Jagalia* of the village announces the day and date of the festival. Women sprinkle water on the 'tera' leaves after bringing them down from the roofs, chop them and cook them with split black gram and orange lentils.

Previously, they used to sacrifice fowl and goats but practice is changing. The idol of *Vagh Dev* is made of stone or wood with carved motifs of tiger, cobra, sun, moon and peacock. The deity is worshipped for protection of human lives and property from wild animals, reptiles and insects. *Terasan* is traditionally celebrated in villages to this day. Farmers commence sowing after this festival.

### ***Pachvi (Divaso)***

Tribals celebrate this festival in *Shravan*. *Pachvi* is the festival of cobra worship. Agricultural work is suspended on this day. Coconuts are sold in the bazar on this day and small children are dressed as dolls and made to dip in water. The festival also see mock marriages of dolls by young unmarried girls. This festival is celebrated on *Kali Chaudas*, the day before Diwali.

### ***Akhati (Akhatrij)***

*Akhatrij* is celebrated on the third day of the bright lunar half of the Hindu month of *Vaishakh*. The choice of seeds for the sowing season in monsoon is the main purpose of this festival. There is a saying among Tribals, 'Farming of the Kunbis, Jungle of the Bhils and Deity of the Warli'. In keeping with the saying farming in Kanadha village is undertaken by the Kunbis. Therefore, it is the chief festival of the Kunbis. There is a reference to this in the *Kansari Katha*. The whole village joins in the celebration. But the worship of *Vasant Gorai* is done only by the Kunbis, specifically by the women. In certain villages this festival is celebrated for seven days after seven Sundays following Holi. 'ahala' (fruits) and 'sidhu' (groceries) are collected from the village people for celebration of the festival. On the concluding day the village elders accompany the 'gavgudiya' (priest) to the river or the well. They make offerings to *Gaam Devata* (village deity) and cook a community meal. Unmarried girls bring dry soil of Mother Earth in wicker baskets. Finger millet, maize, sorghum, paddy and black gram are sown in the baskets which are covered and kept in a corner of the house. The girls' water the seeds for a week and singing songs sung at the bride's seeing off. The baskets known as 'Gorai' now filled

## Functioning of Tribal Political Structures

with germinated grass (of grains) are immersed in the river or the well after lunch on *Akhatri*. Small fish caught from the river are cooked on this day. After the immersion of the 'gorai' the women make a small idol of a *rakhasa* (demon) and while singing songs they crush the idol under their feet in a symbolic act. Pieces of finger millet *rotla* (flat bread) is distributed as *prasad* after destroying the demon. Thereafter follows a game 'Jikhna' played both men and women in which agricultural implements are to be identified. Assured of seeds required for monsoon sowing, having destroyed the wicked symbolizing famine and evil, the message of this festival is that days may pass in joy and cheer.

### ***Diwali and Holi***

Diwali and Holi are the festivals most commonly celebrated by the Tribals and others of Hindu society, but there is a marked difference in the manner and method of celebrating them. The Tribals celebrate these festivals in a unique way.

For instance, the Tribals of central Gujarat in the eastern belt start celebrating Diwali from the twelfth night of the dark lunar half of the Hindu month of *Aso*. The required things for festivities are bought from the *haat* (weekly market) prior to the festival. These include clay horses, *dhaja* (religious flag), decorative bells and tassels for bullocks, colours, etc. The house are cleaned and the relatives are invited for the celebration. The day marks with the sacrifice offered to *Gaam Dev* and offerings made of rice are made to *khatri* (ancestors). The next day begins the New Year for them.

Holi is known as 'Olibai'. According to a myth, the king of Dab had seven daughters. Their names in the oral tradition are Dohri, Diwali, Oli, Yaha, Rani and Kajol, etc. Each of them was given responsibility of seven small kingdoms. Queen Kajol was well versed in matters of rain and water. Yaha was good at matters related to food grains and farming. Oli was an expert in occult knowledge, adornment and worldly life. The sisters offered guidance to the kingdoms they were in charge of. One day Oli was imparting knowledge to her subjects through songs. The subjects felt the lyrics were obscene so they burnt her to death. So the people of Dab punished the seven kingdoms by ordering them to carry out her last rites. Thus the tradition of burning Holi continues to this day.

'*Kandiyo*' (castor-oil plant) carries a lot of importance in the celebration. During the Holi festival within a fortnight people play children's games, sing Holi songs and dance to the beat of the drum. The village people and the village priest cut tall '*Kandiyo*' from the village or the outskirts and install it to the selected place to mark the beginning of the festival of Holi.

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Children have a special role to play in this celebration. A fortnight after the installation of the '*Kandiyo*', the village priest goes into the forest at dawn to bring the '*Holi Dand*', a thin branches of bamboo, teak or samar. In returning or in case of a halt on the way the branches cannot be laid on the ground but to be held in the hand. It is to be placed and planted only at the spot where Holi is to be burnt. While the Holi worship ceremony is going on, the small children of the village go from door to door singing and dancing to collect '*fago*' (gift money). The songs are full of tease, mockery and laughter. The collection of fag before Holi is known as '*Dudli*'.

After lighting the Holi the villagers do many kinds of dances. While dancing to the tune of musical instruments they mimic traits of animals. The *dand* is grasped before it collapses after burning. The end of it is cut and handed over to the *gosan* or *goriya*. Then people apply a *tilak* (a mark made on the forehead), of '*aat*' (ash) and go home. This is known as '*Dhuleti*' in mainstream society. The Tribals call it *Pana Parva* (village occasion). On the day people sprinkle water made from *Kesuda* flowers on each other.

### ***Marriage Customs and Tradition***

According to Girjubhai and Lahanbhai (*Karobari*/administrators) of the village, family is the unit of society and marital life is the foundation of the family. From primitive society to so called civilized society the occasion of wedding is earnestly celebrated for the preservation of marriage tradition. The involvement of the entire community on the occasion of the nuptials of two heterosexual partners indicates its importance. The marriage tradition among Tribals of Gujarat dates back to ancient times. The Tribals have planned their life system in keeping with cycle of seasons. Monsoon and winter are seasons of labour. These two seasons are hectic agricultural seasons. With the advent of spring the Tribals complete their farming work and get busy with social occasions such as marriage.

They informed that boys and girls are married off at the appropriate age. These days the age fixed for marriage by the government is adhered to which happens to be above 18 years for girls and boys. Though in few cases marriage occurs at much younger age. Like elsewhere, the marital alliance which has the nod of the parents and bride and groom is the most preferred. Earlier times marriages known as 'eloping marriage' were also prevalent where alliance was fixed against the wishes of the bride and groom. These days such marriages do not take place.



**Image 3.4: Haldi Ceremony of the Bride, Kanadha**



However, one finds a prevailing pattern of marriage among the Tribals. It is the form of marriage in which the groom goes to stay at the bride's house as '*khandhadiyo*'. It is common in families consisting of daughters only where a '*khandhadiyo*' groom is brought for one of the daughters. Such families also happen to be better economically where there is a need to look after property (agriculture land, domesticated animals/birds and others) in the absence of male progeny. In more popular terms it refers to marriage where a groom is ready to become '*ghar jamai*' i.e., resident son-in-law in wife's home. Normally, grooms from economically weak families opt to be '*khandhad*'. In case of '*khandhad*' marriages, in some communities the practice is that the family members of the groom leave behind the groom at the bride's place after the wedding. While in some communities, the bride goes in a marriage procession to the groom's house for the wedding ceremony. Such marriages consolidate the position of women in society. It is to note that, in parts of India especially northern India, concept of *ghar-jamai* to the man is associated with lowering of honour and dignity of man and his family; among tribals it is easily acceptable without such facets. However, in both cases it is linked intrinsically to the power of money and property.

**Image 3.5: Marriage Ceremony, Kanadha**



A *pandit* (Hindu priest) is called to solemnize the Hindu marriages. A Father (Christian priest) solemnizes the Christian marriages. As there is the practice of bride-price among Tribals, hence the groom's family gives set of things to the bride's family. For instance, Rs. 1551 in *nani pen* (engagement), Rs.2551 in *moti pen* (wedding), Rs. 600 for wedding singers Rs. 500 fees of *kathe patil*, *dej* (dowry amount) of Rs. 4000 and food grains amounting to Rs. 4000. It is also reported that if couple elopes then there is a fine of Rs.10,000 imposed on the family of both partners. Many a times, such cases turn into fruitful union with the counselling of the family members by the village and caste elders.

## II

### (II). Gadhvi Village

Gadhvi Village is located in the Dang District of Gujarat state. The district covers an area of 1764 sq kms at the southern tip of Gujarat and is situated on the western slopes of the Sahyadri mountain range at 93.39 degrees longitude and 20.27 degrees latitude. To its north is Vyara and Songadh of Tapi district, Gujarat and Navapur taluka of Maharashtra. To its east and south are the respective talukas of Dhuliya and Nasik district, Maharashtra and to the west is Vandsa taluka of Navsari district, Gujarat.

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The terrain of Dang district has portions of lava sedimentation and is rocky. It is surrounded by hills. Most of the region of Dang is above 400 to 600 feet above sea level. The Dang district is covered by forests and deep ravines caused due to heavy flow of the rivers during monsoon. The main rivers of district are Purna, Ambica, Khapri and Gira, which divides it into four parts as four valleys. This makes it difficult to travel from one area to another. Its forest area measures at 103468.89 hectares while cultivable land measures 52.160 hectares.

The district also known as the Cherapunji of Gujarat, receives very heavy rainfall which is an average of 100 to 125 inches. However, being a hilly region most of the rainwater flows away. Hence, despite good rainfall the region experiences water shortage. This is also the reason why agriculture here depends on rainfall.

In 2011, The Dangs had population of 228,291 of which male and female were 113,821 and 114,470 respectively. In 2001 census the total population of district was 1,86,729 consisting of 93,944 males (50.3 percent) and 92,755 females (49.7 percent). The male-female ratio is 1000 males against 1006 females compared to 2001 census figure of 987.<sup>vi</sup> The facility of education in the Dangs during the 19th century was inadequate and therefore, the level of education was very low. Even when Gujarat became an independent state in 1960 the condition of education was dismal. As time passed the situation improved. The percentage of education among females is 68.8 percent and among males is 84.9 percent. The combined male-female percentage of education is 75.1 percent. There are 309 villages and 02 cities in Dang district. About 95 percent people dwell in the villages and 05 percent in the cities.

The district is populated mainly by scheduled tribes such as Bhil, Warli, Kunbi, and Konkani. The district is known for the rich arts, paintings, especially Warli paintings, handicrafts, dance and traditional customs of the Tribals. The district has recently been announced as a natural district because the people of this district depend chiefly on nature. Living in the lap of nature they are not only connected to the forest, vegetation and animals but also worship them. Dang district is full of rivers and forests; therefore, the dwellings and clothing of the local people is different from others. At the same time the Dang is the most backward districts of Gujarat in terms of agriculture, irrigation, education, health, living standard mainly due to its geographical location.

Over the years the district has seen improvements in roads (built by government, Panchayat and Forest Department). All its villages of have been covered under electrification. There are 427 primary and upper primary schools, 46 secondary schools and 04 colleges in Dang district. In Ahwa, the capital city, there are 2 colleges and 16 higher secondary schools. As far as the medical facilities in the district are concerned there is 01 general hospital, 01

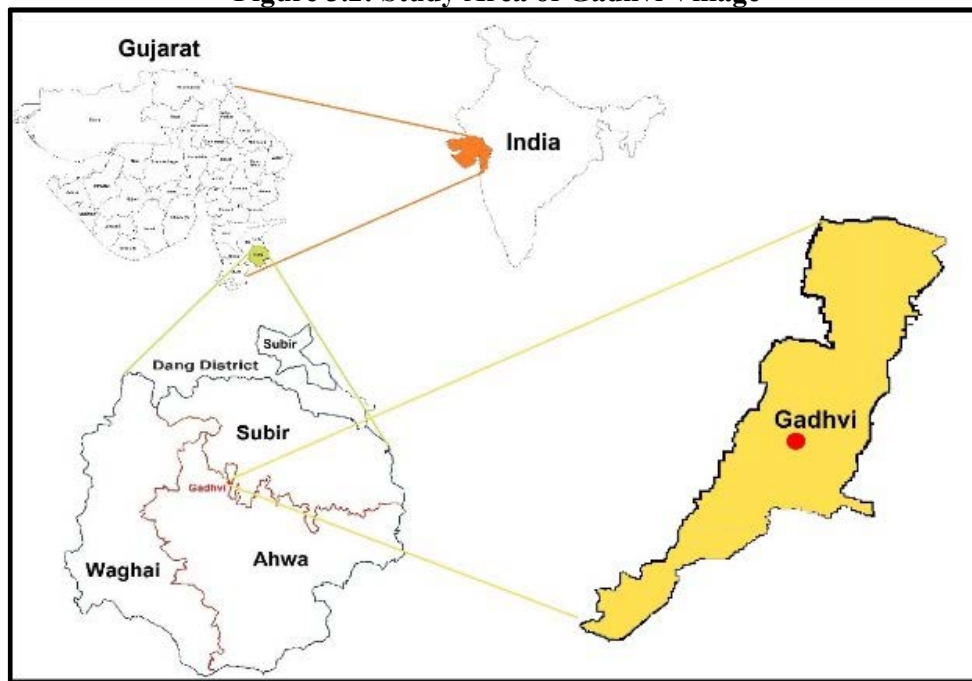
## Functioning of Tribal Political Structures

community health centre, 09 primary health centre, 47 sub-centres, an Ayurveda hospital and 05 veterinary hospitals. The district has a TV relay centre, a radio station, 435 Anganwadi centres, 56 post offices, a library, 4 police stations, 231 milk co-operatives, 491 government cooperatives, 16 banks and 114 fair price shops.<sup>vii</sup>

### *Geography and population of village*

Gadhvi village is situated in the north-west of and a distance of 15 km away from the Ahwa taluka in Dang district. Its location is in between Maharashtra and Gujarat. To its east is Maharashtra and tall hills. A large river named Purna flows 7 kms to the north of Gadhvi village. It covers an area of 1049.46 hectares. It has 260.72 hectares of irrigation facilities while 75.78 hectares does not have irrigation facilities. Wasteland measures 8.97 hectares and 44 percent barren land is demarcated. Forest and land areas of Gadhvi village are managed as per the Forest Department and government. Certain portions of land are also owned by individuals.

**Figure 3.2: Study Area of Gadhvi Village**



There is a mixed population in this village. The majority are Bhils. Next in population are the Bhoys people who are related to the Kunbis. The third largest is the Gavit community. The Bhils are an influential community because they are in the majority, they own more land and (reported to) have descended from the sun dynasty. Therefore, they have always been rulers. There are total 485 houses in the village. This is the information given by the Gram

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Panchayat and the Tribal Panch. Many new houses are under construction. The village is divided into 08 residential quarters called *Faliya*, viz. Nishal Faliya, Gandolvihir Faliya, Patil Faliya, Raja Faliya, Bhod Avan Faliya, Gothan Faliya, Tower Faliya and Patvihir Faliya. Mixed population occupies these Faliyas. There is not a single Faliya where people of only one community reside.

### ***History of village***

This district has a specific status since the Puranic age. According to historical accounts the Kings of the Dang ruled the region after having separated from the Mughal rulers in the 14th century. After India's Independence, Dang was a part of Maharashtra. It became a part of Gujarat in 1960.

Of the five kings of Dang district this village falls under the reign of King Silpatsinh. The king of Gadhvi village is considered to be the best of the five kings because the forest cover of this village is bigger than other villages. According to Prof. Uttambhai Gangude of Gadhvi, who works as a Principal in Ahwa College, the name of the village 'Gadhvi' has its *dant katha* i.e. legend mythical story which dates back to Ramayana period. The village is named after a chariot of gold and dates back to the times of Rama. Its first name was '*gaadi*' (Gujarati term for chariot) which eventually became '*gathvi*' and later '*gadhvi*' as its history informs us. He narrates that when Lord Rama, Sita and Lakshmana were in exile they came to the region surrounded by forests known as Dandkaranya near the bank of the river Godavari in Nasik. When Sita was kidnapped and Rama and Lakshman were searching for her, they came to the outskirts of Gadhvi village. When they alighted from the chariot, they could not move forward because of a dense forest ahead. The local people told them they would have to go on foot. So, they placed the chariot in an old well in Gadhvi village. Thus, the village was named Gadhvi.

### ***Educational institutions***

The percentage of education in the village is 84 percent. The level of education among females is 45 percent and among males is 55 percent as informed by the Principal Sunilbhai Pavar of Government Secondary school operative in the village. This secondary school provides education in Gujarati medium and was established on 15/8/2007. It is reported that the school has contributed to improvement in education in the village mainly because the students of Gadhvi village do not have to go outside the village to obtain secondary and higher secondary education. Rather students from neighbouring villages such as Jamlapada, Diwanetembrun,

## Functioning of Tribal Political Structures

Jamanvahir, Sukmal, Chankhal, Pipaliyamal and Motikasad have taken admission in the school. There are four classrooms in the school. As per the Sunilbhai the school has adequate number of teachers comprising 03 permanent and 03 temporary teachers especially for classes from 9 to 12. The total staff is of 09 members including the Principal, the clerk and the peon. The people and the leaders of the village lend a helping hand to the teachers whenever there is a programme in the school.

**Image 3.6: Government Primary School Building, Gadhvi**



**Image 3.7: Children of Class 1, Government Primary School, Gadhvi**



There is one primary school established on 2/6/1961 during the reign of King Yashwantsinh in the village. The school has classes from 1 to 8 which caters to students not only from Gadhvi but also from nearby villages of Jamlapada, Jamanvahir and Sukmal. There

## Functioning of Tribal Political Structures

are 247 girl students and 505 boy students in the school. There are 13 classrooms in the school. From November to March when the people of the village migrate for work to places like Surat, Bardoli, Vyara and others to cut sugarcane, they admit their children to the school's seasonal hostel. There are some parents who take their small children studying in class 1 or 2 with them which somehow affects their initial schooling as they are away for the period in between four to six months. As per school's principal the teachers are adequate but have requirement of one more teacher for much better functioning. There is another primary school located in Patvihir, a 2 kms distance away from Gadhvi. It has classes from 1 to 5. There are 23 students in the school, including boys and girls.

### ***Health***

A Primary Health Centre (PHC) providing health services to the village people was established under the Ayushyaman Bharat Scheme. It was the effort of Baburao K. Gangurde who submitted a proposal in 2007 for a PHC to be established in the village. There is also a sub-centre in the village. Treatment for ailments such as diarrhea, vomiting, fever, common cold, cough and malaria is provided at the PHC. In case of surgery the people have to go to Ahwa Civil Hospital located 17 kms away.

**Image 3.8: Primary Health Centre, Gadhvi**



### ***Anganwadi***

There are three Anganwadis in Gadhvi, one each is in Gathvan Faliya, Nishal Faliya and Patvihir Faliya. It was observed that all three Anganwadis are in a dilapidated state. Neither do the Anganwadis have adequate toys nor rugs for the children to sit or proper doors and windows.

**Image 3.9: Anganwadi Centre, Gadhvi**



While conversing with Nishal Faliya Anganwadi worker Roshniben G. Bhoje who has been working for more than five years, stated that the electricity and water facilities in the Faliya are good but the Anganwadi building is in a dilapidated state. The building is not painted for long time. Moreover, the children find it difficult to sit during the monsoon as its roofs leaks in some places. There is a hand pump near the Anganwadi. She also said that there are not enough toys for the children to play. She has spoken to Panchayat officials about its poor condition but there was not positive outcome.

The Anganwadi at Gathvan *faliya* much worse as it neither has a compound wall nor a playground. Since the *faliya* has electricity and water facilities its people so water is easily available. The worker of the Anganwadi mentioned about her helplessness as she can't do anything on her own for children.

Sumitraben P. Gavit, Anganwadi worker at Patvihir *faliyu*, also talked about the poor condition of the centre which was slightly damaged. Similar to other two centres, here also children find it difficult to come and sit during the monsoon yet they attend regularly except a



## Functioning of Tribal Political Structures

few children who come from a long distance. It was found that among the children's coming to three Anganwadis, 4 are extremely malnourished, 47 are on the slight green line and 65 children are on the full green line. Children do not get enough nourishment.

**Image 3.10: Anganwadi Worker Sharing Information with Investigator, Gadhvi**



*Balshakti* packets for children, *Purnashakti* packets for adolescent girls and *Matrushakti* packets for pregnant women and lactating mothers are provided at the Patvihir *faliya*-Anganwadi so that the beneficiaries may get nourishment and malnutrition can be prevented. *Mamta Diwas* is celebrated every month at this centre wherein children are vaccinated, blood pressure of pregnant women is monitored and iron and calcium tablets are distributed after examination. One of the Anganwadi staff stated that pregnant women of the village do not take proper treatment. Because they do not get enough nourishment during pregnancy, they give birth to weak infants that weigh 1.7 kilos to 2 kilos. This is also the reason that the infant mortality rate is high in the area. She also relates weak infants to teen or young pregnancy. The girls get married at a very young age and they become pregnant when they are 14 or 15 years old and become mothers at 16 or 17 years. Since their body is not reproductively mature and with no proper nutritious diet during pregnancy, they end up giving birth to frail babies. For young marriage she further states that, young girls and boys of ages between 15 and 17 years along with their parents/relatives migrate to other districts for few months for the sugarcane cutting work. All live in common place, generally provided by the contractor. Away from home, some girls get sexually active with the boys which results in very young girls

## Functioning of Tribal Political Structures

becoming mothers. Besides, it was also observed in the village that 70 percent parents do not keep a gap between the birth of two children, the consequence of which is weak children and anemic mothers.

### *Livelihood Patterns*

Around 65 percent people of the village are engaged in agriculture and labour while 35 percent people do jobs. For agriculture people are dependent on rain as the water source for irrigation. Total 21 households (10 houses of Bhils and 11 houses of Kunbis) have their personal borewells that act as source of water for irrigation. Since agriculture is monsoon dependent, people also migrate for labour in sugarcane fields for few months from September to March especially to Surat, Bardoli and Tapi districts. In most cases such migration is due to poor agriculture income and to earn money to pay of the debts. In some cases the migration is an alternative source to enhance household income. Those who do not migrate to distant places they work in nearby companies or for 2 to 3 months (10 percent of villagers). According to Gulabbhai Pavar and Dipakbhai Gangurde (villagers), from the amount that the people earn from labour in sugarcane fields, half is spent in repaying debts. For every one rupee they borrowed they repay 01 rupee 50 paisa. From the income earned some construct houses, some buy vehicles such as jeep and motorcycle (required for livelihood), whereas only 01 percent buy cows and buffaloes to pursue animal husbandry. Bhoje families in the village are mostly into animal husbandry. Kunbis also rear cattle to some extent. They rear oxen and buffaloes for tilling the field as is the practice in the region.

**Image 3.11 : People Threshing Rice Grain in the Field, Gadhvi**



## Functioning of Tribal Political Structures

### ***Water facility***

Government hand-pumps have been installed in every lanes of the village to provide drinking water. Many people have dug their own personal borewells for use. The absence of a big river in the village leads to water shortage in the summer months. Arrangements have also been made to provide drinking water in three village lanes through mini pipelines under WASMO — Government of Gujarat rural water and sanitation committee but the system is non-functional. There are 12 wells in village of which 06 have been provided to rich farmers. However, most of the wells run dry in the summer. A check dam has been constructed under MNREGA which conserves a small amount of water which is mainly used for cattle. People cannot cultivate crops in summer due to water shortage. They manage to somehow grow few vegetables that needs less amount of water. As farmers cannot carry out big scale agriculture by digging personal borewells, therefore, the majority of farmers undertake cultivation during the monsoon only.

### ***Electricity***

Electricity facility in the village is good as 70 percent of houses have electric connection. But among the economically poor approximately about 30 percent people do not have electric meters because they neither have the money for it nor know where to apply for it. People face problem of electricity during the monsoon mainly because of trees falling on electricity lines. In case of cyclone in the area they have to sometimes do without electricity and light for a week.

### ***Roads and Transport***

Road facilities in Gadhvi are good. The main road, the Ahwa - Songadh road 01 km away from the village makes easy for people to move to various distant places such as to go to Ahwa Civil Hospital, the college, or a medical centre or a shopping place. Even internal roads in various *faliyas/lanes* (like Tower *faliya*, Nishal *faliya* and Gavthan *faliya*) are made of cement and concrete. Though some inroads to other lanes (like Patel *faliya*) are made of the asphalt and are old and broken. Roads leading to the school, P.H.C. and Panchayat with in village are pucca roads. Roads leading to the houses of the kings are made of concrete. In many lanes the roads are kuccha which people find it difficult to use in the monsoon. Depending on the road construction schemes, certain portions of roads in the village have been constructed under the Prime Minister Road Scheme while Block paver roads in three village lanes have been made by the Panchayat.

**Image 3.12 (A) : In-Roads to the Village Lanes, Gadhvi**



**Image 3.12 (B) : In-Roads to the houses of the Kings Family, Gadhvi**



Since Gadhvi is located on the Ahwa-Songadh road transport is easily available. People and students of schools and colleges are able to commute easily due to government mini buses which ply between Ahwa and Gadhvi on the Jamlapada route. People find it easy to go to the hospital, bank or office. 108 facility is available for medical emergencies.

***Banking facility***

For banking service for the villagers there is '*grahak seva kendra*' (Consumer Service Centre). It is located in Gathvan Faliya above the Panchayat office. Money from S.B.I. (State Bank of India) and B.O.B. (Bank of Baroda) can be deposited and withdrawn as well as accounts can be opened here.

## **Culture: Festivals and Marriage Customs**

### ***Festivals celebrated in the village***

#### ***Tera/Terasan***

This is a festival related to nature and harvesting season. It is believed that *tera* sprouts with the first rain shower. When the earth turns green with the first rains, it is a special day for the farmers. Before harvesting the crops the green sprouted leaves of *tera* are cooked and offered to the deities *Gavdev*, *Ishtadev* (chief deity) and mother and father ancestor spirits with saltless cooked black gram and rice *khichdi*.

#### ***Pachvi (Divaso)***

Departed ancestors are worshipped on this festival. Families do *pooja* of their ancestors. Leaves of a tuber called 'alu' in the Dangi language are cooked and offered along with saltless cooked rice. Horns of bullocks are painted and they are worshipped on this day. Warli paintings and palm prints are made on the walls of the house, besides paintings of *Vaghdev* (tiger deity), bullocks, farmer, woman filling water, dance art form, handicraft, and *Ishtadev*. The painting is made with rice flour paste on ochre background.

#### ***Akhatri***

This festival is celebrated when summer is about to end and monsoon is about to start. The festival is more about the predictions on how will the forthcoming year be and which crops would fare in the upcoming season by observing the sky and making assumptions. Since it is mainly related to crops, therefore the mother earth is worshipped and *pooja* of *kali kansari* (goddess of food) is done. Since the time of festival is summer when days are long and one feels more hungry, the month is also called *bhukhatri*. The ceremony includes the sowing of seeds of 7 to 8 grains such as maize, paddy, black gram, pigeon pea, sorghum, finger millet, etc. in a cane basket filled with mud. This is done 7 days prior to *Akhatri* day. The prediction about the harvest i.e. how will the crops do this year, is done on the basis of the growth of the seeds. The grains are taken to the river bank and five boys are made to sit on cow dung and *bhutdev* (*vayudev* or wind deity) and *kansari* are worshipped.

#### ***Worshipping new crops***

Dedicated to the first new crops, this festival begins when the five members of the Tribal *Panch* decide that the crop is ready for harvest. The people bring the freshly harvested paddy to home and pounded in the *khal* with the *musal* (pestle made of wood). The dehusked rice is then

## Functioning of Tribal Political Structures

cooked without salt and first offered along with pumpkin to one's *Ishtadev*, *Dungardev* (mountain deity) *Vaghdev* (tiger deity), *Nagdev* (serpent deity), and *Vayudev* (wind deity). Once they offer the new crop to their deities and ancestors then after only they consume it for self.

**Image 3.13: People Performing Vaghbaras (Vaghdev Pooja, Gadhvi)**



### ***Worship of Dungardev (Bhaye in the local language)***

The worship of *Dungardev* (Mountain God) in local language means worshipping *kansari mata* who is the provider of food. *Kansari mata* is either worshipped family wise or individually. People keep vows related to agriculture. The *pooja* is done in the centre of the village. The first day *tapra* (musical instrument made of bamboo) is played. Then *pavri* (kunka) is played and *bhavnivanoara* (tagad) is brought. Grains in the house and fields is worshipped. *Dungardev* is worshipped by plying *bhaye* (sarnai) accompanied by dancing and merriment while climbing up the hill. People carry out this *pooja* for 5 or 10 or 15 days. The *Kansari mata* is also the clan deity of the Tribals.

**Image 3.14(A): People Performing Dunganardev Kansari Mata Pooja, Gadhvi**



**Image 3.14(B): People Performing Dunganardev Pooja, Gadhvi**



***Festivals of Diwali, Holi and Christmas***

For the Tribals both Diwali and Holi are sister festivals. The manner in which Diwali is celebrated in Gadhvi village is customary throughout Dang district. The manner of worshipping deities of the village is different. Offerings are made on *Baras (Vaghbaras)* [12<sup>th</sup> day of the

## Functioning of Tribal Political Structures

moon appearance] on the first day of Diwali to the deity of the village people who presides at the precincts of village, who is called *Vaghdev* (tiger deity). The deity is represented by a wooden plaque with the sun, tiger, peacock serpent and moon carved on it. The people worship the deity with cooked rice without salt, coconut, incense sticks, and fire-crackers. Five or six *donis* (baskets) of *kesuda/polus* (*butea monosperma*) leaves are made. Idols of a tiger, serpent deity, cow, and ox are made of rice flour and placed in the *donis*. Nature deities are worshipped and cooked rice is offered to them. The coconut is broken and incense sticks are burned to perform the *pooja*. Thereafter, the rate of daily wages for any kind of work such as harvesting paddy, cutting grass, etc. in the village are decided. This rate is binding to all the people of village and is followed throughout the year. The ritual is concluded by bursting fire crackers at the village outskirts in the evening when the cattle return from grazing. On the day of Diwali the villagers and the *Panch* decide when to have the meal — the '*san*' (to have the *pooja*) as many people refrain from slaughtering fowl on Mondays and Saturdays. Therefore, they do *pooja* of their ancestors and deities with offerings made from flour and grains only. They eat the festival '*san*' on Mondays and Saturdays. This is the custom among the Bhoys and the Kunbis and not much among Warlis and Bhils.

In Holi as part of nature *mavli pooja* is carried out. After the *Pandhri pooja* following *Shivratri*, *cowrie* shells are sowed. Beside the spot where the Holi is to be lit, boys and girls of the village get together and plant branches of *Savar* or *Pangra* trees. Every night for twelve days they place dung cakes and move from house to house singing *lolariya* Holi songs. Then at night they play games. On the last day they collect roasted gram and food grains from the villagers and consign them to the fire. Holi is lit in two *faliyas* in Gadhvi namely in Raja *faliya* (*Uplu faliya*) and *Nishalu faliya*. Previously Holi was lit in the former *faliya* but after a conflict with the people of Raja *faliya*, it is now lit in two separate *faliyas*.

There are 50 to 60 people in the village who follow the Christian religion and Christmas is celebrated by them as per the rituals.

### ***Marriage Customs***

One of the Tribal *Panch* member reported that for marriage three types of rituals are seen in the Gadhvi village depending on the tribal clans. They are: (i) *Lagna-Saat Fera* (marriage through seven circles); (ii) *Pen* (marriage through gifts/Chandlo) and (iii) *Korod* (marriage through fixed paid payment). Any form of these is accepted by the community and considered as a marital bond between two couples and their expected rights.



## Functioning of Tribal Political Structures

### (i) *Lagna*

In Gadhvi, ten percent of families does *Lagna* marriage ritual, which confers bride-groom taking seven steps. These families are from Kunbi with sub-clans of Bhoya, Gangurde, Chaudhary and Suryavanshi. Moreover *Lagna* is solemnized only among those families where this has been the practice down the generations. In case of families where first time son is getting married, then before him the *haldi* is applied to the ancestors then to his parents and lastly to the son. The wedding is completed with doing *saat pheras* (seven circles).

**Image 3.15: Marriage Ceremony, Gadhvi**



It was reported that there have been instances in Gadhvi village where weddings of both the parents and the son had taken place simultaneously. The duration of the *lagna*-wedding is of three days.

**Image 3.16: Marriage Ceremony of Parents and Son, Gadhvi**



## Functioning of Tribal Political Structures

### (ii) *Pen*

Here the girl and the boy are married by gifting jewelry and some cash, known locally as *chandalo* by the boy's side to the girl. In some cases, this form of marriage is also known as half-marriage. Once the boy and girl and their parents agree to the marital alliance, they decide a date for the wedding. Village *Patil* and *Karobari* (Tribal *Panch* members) play an important role in fixing the date with assent from the respective families. On decided date the groom goes to the bride's house with the gift of gold or silver neck chains. Once again, the *Patil* and the *Karobari* ask the bride and groom about the acceptance of each other's match (locally termed as *pen* and signified by accepting sweets/liquor brought by the family), once it confirmed then the groom puts the chain round the neck of the bride and they were feed sweetmeats or biscuits to mark the auspicious occasion. The sweetmeats were also distributed to the village people. The *Patil* and *Karobari* of the village explain the laws pertaining to the nuptials to the couple's families and to their counterparts from the other village. For instance, penalty in case of separation for any reason and Rs. 5,051 in case of mistake by any party.

**Image 3.17: Marriage Ceremony, Gadhvi**



The lists of gifts brought by the groom to the bride's home for marriage and laws of marriage includes:

- 1). Gifts brought by boy:
  - ≈ Rice: 50 kgs
  - ≈ Pigeon peas lentil: 5 kgs
  - ≈ 9 bundles of saree and towels

## Functioning of Tribal Political Structures

- ≈ Ornaments for the neck and feet (silver/gold depending on family's economic status)
- 2). Gifts to bring as per Law of the village:
  - ≈ Rs.251 'pen' (sweets or liquor – used when boy/girl give consent for the marriage)
  - ≈ Rs.230 as dowry
  - ≈ *Mangalsutra* (gold if the boy family is rich)
  - ≈ Rs. 1,251 as Village law for village expense

### **(iii) Korad**

Boys and girls from poor families get married according to the *Korad* marriage custom. Every village has fixed amount for the marriage under *Korad* system, and in Gadhvi the amount is somewhere between Rs. 20,000 to Rs.30, 000. Once a boy and girl decide to get married with approval of parents, the *Patil* and *Karobari* first inquire about the economic condition of both the families. Thereafter, the *Patils* and *Karobaris* of both the villages discuss how much expense should be made for the wedding in a way that neither family incurs debt. Both parties are asked whether they want to choose *lagna* or *pen* or *korad* after which the *Patil* and the *Karobari* decide further as to how much is to be spent for the *korad*. As per Gadhvi's system, the boy's family has to pay Rs. 20,000/- to 30,000/- to the parents of the girl besides a silver chain for the neck and silver anklets for the feet, 7 to 9 pairs of clothes (set of saree, shawl, towel). On exchange of gifts and amount on a fixed date the marriage of boy and girl gets formalized.

### ***Birth and Death Ritual***

#### ***Birth***

In the Tribals community on the fifth day after the birth of a child, *Pachoro* is worshipped. The infant is named on this day. The midwife carries out the ritual because she had facilitated the birth of the child. Alcohol is used in the ritual and is distributed among the village people and the guests. *Pooja* is carried out in *Chhatti Akri* and *Ghani Akri Taba Daftar* so that the child may enjoy a healthy and long life.

#### ***Funeral***

Whenever somebody dies in Gadhvi village the *Jagalia* is the first person to be informed. He, then, goes around the whole village playing the drum and announcing the news. If somebody dies at 3 or 4 o'clock in the afternoon, the dead body is kept at home for the night (*ratwa*) because it is considered inauspicious to bury or burn the corpse in the evening. In such a case the dead body is not left alone but family members sit around it and incense sticks are burnt

## Functioning of Tribal Political Structures

above the head of the dead body. *Ittar* (perfume) is applied to the dead body to ward off any stench emanating from it. A plate (*tur* or *thali*) is played at night and two *Bhuva* (witch-doctors) do the *katha*. They continue to sing the *katha* to the accompaniment of the *tur* until morning. When they take out the dead body from the house they burst crackers. The dead body is carried on a *mach* (bier) made of two 09 feet bamboo sticks and 09 small bamboo sticks placed horizontally (like a ladder). In keeping with the tradition, the sticks are tied with the thread of *khatiambadi*. It is believed that tying even a small bit of this thread to bier gives peace to the soul of the deceased.

Before final pyre the dead body is bathed in hot water without adding cold water and made to wear a new pair of clothes. Then turmeric paste is applied after the final bath. If the deceased is a woman, her husband applies turmeric and vermilion to her body and if the deceased is a man his wife applies turmeric paste to his body. Their parents comb their hair and dress them for the funeral. While taking the dead body to the cremation ground the face is kept facing the village as this is the final journey and the village is to bid him/her farewell. Once they reach the village outskirts the dead body is lowered and face is kept in the direction of the cremation ground. The relatives offer flowers and return to the village. Five pieces of firewood are collected from each house for the funeral to provide help to the grieving family. The village youth go and arrange the heap of wood beforehand. Once the dead body is placed on it the brother/father/son as well as the five men place the first piece of wood on the dead body. After the cremation a towel is spread at a spot, on which people place whatever amount of money they wish for the twelfth or third day ceremony for the deceased. This is done to provide financial support to the grieving family. Silence is observed for the peace of the departed soul and thereafter the date for the twelfth day (*barmu*) or third day (*trijyu*) ceremony is decided according to the wish of the family. The money donated by the people is spent in conveyance charges as well as charges for conducting the ceremony by the priest.

### III

#### **(III). Mubarakpur Village**

##### ***Geography and Population***

Mubarakpur village is situated in Nizar taluka in Gujarat state at a distance of 100 kms from the district headquarters, Vyara and 2 kms away from the Nizar Bus Station main national highway on the Nizar-Uchhal Road. This village is 15 kms away from Nandurbar. This village is situated where the borders of Madhya Pradesh and Maharashtra meet the border of Gujarat,

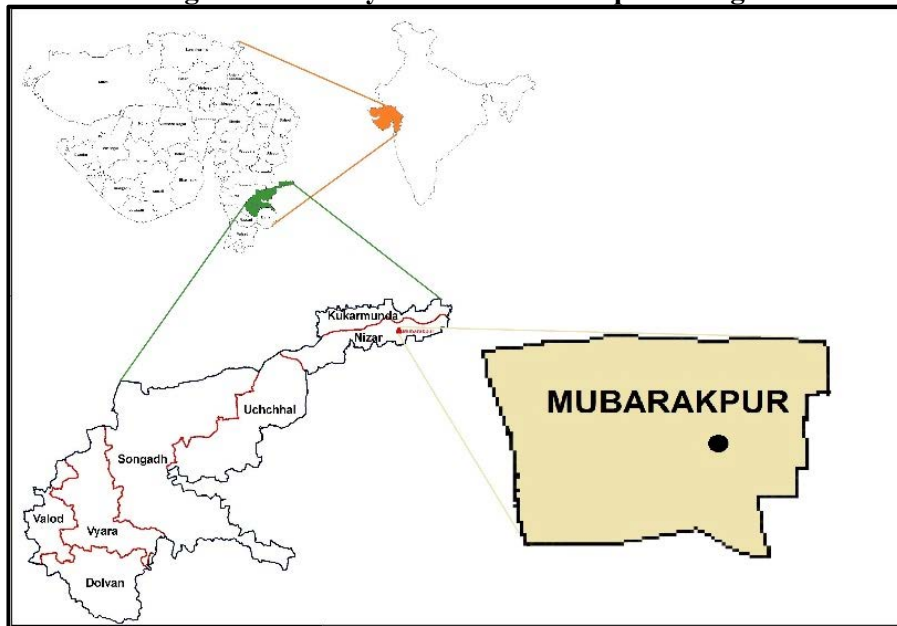
## Functioning of Tribal Political Structures

5 kms away from Nizar village of Nizar taluka also called the '*triveni sangam*' (meeting of three states). The area of the village is 432.62 hectares. The total population of Mubarakpur village at present is 1361 of which 701 are males and 660 are females.

### ***History of village***

It was reported by Kalubhai (village elderly of 70 years old) that centuries ago people following Muslim religion resided in Mubarakpur village. The name of the village i.e., 'Mubarakpur' name was thus given by the Muslim residents of the village. Today it is known by the same name and the names of the Muslim residents with regards to land and houses. However, today there is not a single Muslim person in the village. The cultivable land in the village is recorded in the '*Saath-Baara-Utara (7/12)*' extract form<sup>viii</sup>, which is the regional term for land record document in Maharashtra. It gives the prescribing details about a specific piece of land such as survey number, area, date and more particulars about the existing owner's name.

**Figure 3.3: Study Area of Mubarakpur Village**



Gujarat was separated from Maharashtra on 1st May, 1960. Mubarakpur was formed in 1930 when Gujarat and Maharashtra were one State. The approximate population of this village in 1930 was 500 and the number of households was 50 to 60. The village being located at a distance of 01 km from the river Tapi, the people of the village have never faced water shortage. Also due to its location near to the river bank the villagers were involved in the consuming and selling of fish. Agriculture was the chief occupation of the village and about twenty-five percent of the villagers were into fish rearing that improved their financial condition.

## Functioning of Tribal Political Structures

During a great flood in the Tapi River in 1930 the entire village of Mubarakpur was affected. There was loss of property and cattle. As result there was a famine. People were forced to migrate to other regions. Gradually the situation returned to normal and people came back to the village. In 1958 another flood occurred but it did not cause as much damage as the previous one. It merely led the village to be swept away, and called as '*reliya*' which means 'the village that was swept away'. Even today Mubarakpur village is also known by this name.

Mubarakpur village is a cluster village consisting of five villages merged together (1) Mohida (2) Pushnad (3) Borala (4) Shinda and (5) Nizar villages. The people of these five villages have migrated from Maharashtra and have settled in Mubarakpur village. The economic condition of India was very unstable during the 1960s. This was also the time when Gujarat was separated from Maharashtra and there was a phase of unemployment and hunger. Besides people also gave up their business, house, land, property and migrated to other places in search of livelihood. Hence, the people of these five villages chose to migrate to Mubarakpur village.

Two communities have been living together in this village for many years namely Tribals and Gurjar Patels with former being in large numbers. The Gurjar Patels<sup>ix</sup>, comprising sub-castes of Patel, Patil and Patidar identify themselves as the descendants of Sardar Patel. Though such expropriation is resented by another sub-caste of Patels. Among the Tribals living in village the majority are Bhils with sub-clans of Padvi, More, Thakre, Bhil, and Valvi.

Majority of Tribals are very poor with no secure means of income or land. The population of Gurjar Patels is less but they are wealthy since earlier times because they own more land. It was reported by ex-Sarpanch J.J More that they have wrested land from the Tribals by threatening them, bribing them and through fraudulent means, etc. According to him, Gurjar Patels have taken over ownership of land belonging to Tribals, because they were uneducated and backward and did not understand what they were upto. As a result, majority of Tribals (about 75 percent) work as farm labourers in the fields of the Gurjar Patels to provide for their families which once happened to be their own or of ancestors. However, some Tribals still have ancestral cultivable land.

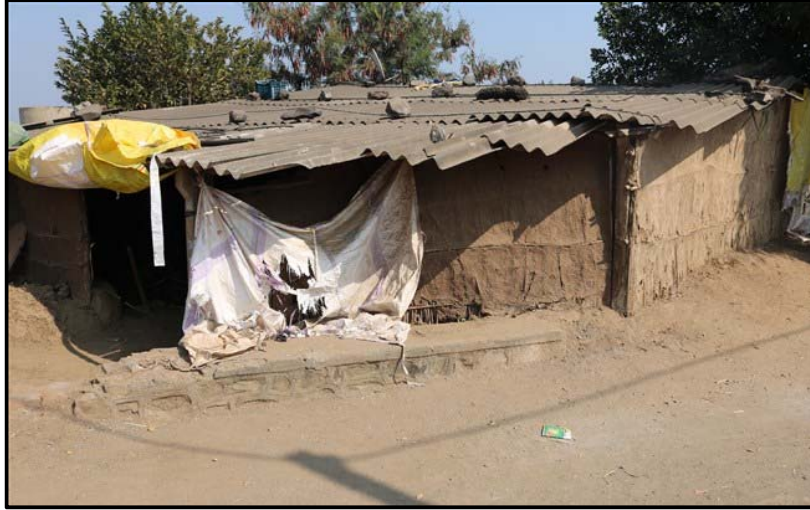
**Image 3.18: Lane Housing Gurjar Patel Homes, Mubarakpur**



**Image 3.19: House of Tribal Woman-Kala, Mubarakpur**



**Image 3.20: House of Tribal, Mubarakpur**



***Education Institutions***

There is one primary school in the village with classes from 1<sup>st</sup> to 8<sup>th</sup> standard. This school was established on 01/10/1940 for imparting education from class 01 to 04 in Marathi medium as Gujarat and Maharashtra were one state then. It was only after Gujarat became an independent state in 1960 that education was imparted in Gujarati. Prior to this school very few persons of Mubarakpur went to Nizar village to study. Therefore, the level of education in the village was very poor. Only individuals from well-off families could afford education. At present in this government school there are a total of 151 students, with 76 boys and 75 girls. There was total 05 teachers.

**Image 3.21: Primary School, Mubarakpur**





**Image 3.22: Primary School Principal and Teacher with Investigator, Mubarakpur**



For further schooling the students had to go to Nizar village at a distance of two kilometers, where there was a high school and an Arts and Commerce college. Since families now want their children to get educated; the nearby school and college helps higher participation of village students. Also unlike other villages they do not have to travel too far for education. According to Mrs. S.N. Patel, the Principal of the school, the level of education in the village is very good. In proportion to the village population of 1,361, the percentage of education is 75 percent which means in every house one to three persons are literate with certain level of schooling or education, with the exception of elderly persons.

Various programmes and competitive exams were organized by the Principal in the school for the mental and physical development of the students with a view to expanding the scope of education. The Principal mentioned that the as villagers send their children to the school, the level of education in the village was good. But she pointed out a concern that the teacher-pupil ratio was poor. They were facing shortage of teaching staff at present. Classes 01 to 03 were handled by a single teacher. The total strength of five teachers took turns to complete the syllabi for 151 students. She stated the need for three more teachers for better functioning of school and was hopeful that teachers would be appointed when the recruitment process would start in 2023 or early 2024.

### ***Health facilities***

There is no government hospital in Mubarakpur village, therefore, a Health and Wellness Centre i.e., a sub-centre was established in the village since 2009. Five people namely, Dr. Anjanaben Gamit (CMO), Jinalben Chaudhary (F.S.O, nurse), two female Asha workers and 01 pharmacist were in charge of the centre. The duties of the sub-centre comprised of health care of pregnant women, childbirth and natal care, family planning, contraceptives and

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treatment of contagious diseases under the National Health Care Programme. The centre also had facilities of O.P.D. treatment of common ailments, diagnosis, prevention and management of non-contagious diseases, treatment of E.N.T. related ailments as well as the old age-related ailments. Moreover, emergency medical help, diagnosis of mental ailments and diagnosis and treatment of 12 other ailments were offered by the Health and Wellness Centre.

Keeping the modern-day lifestyle in mind yoga was also included in the Wellness regime. The sub-centre has a pivotal role in the village. People avail of treatment for all kinds of ailments. In case of any accident a phone call to the government hospital in Nizar which was 2 kms away from the village was made to send for 108 ambulance service which reached the village in 10 to 15 minutes. Hence, the village people had adequate access to a variety of health services.

### *Anganwadi Centres*

There were two Anganwadis (AW) functioning in the village. The timings of the Anganwadi are 7.30 am to 1.30 pm. Each of it was managed by women and comprised of one main AW worker and a helper. One AW is managed by Mrs. Yogitaben Patil with a helper Mrs. Sabarmatiben Thakre. Second AW was managed by Kalpanaben Patel, assisted by Ratnaben Pardeshi. Yogitaben informed that she had been working for 14 years for a monthly salary of Rs. 1000. Her salary had raised to Rs. 7,700 from 2022 onwards by the government. She was the only one who has served for such a long tenure. Sabarmatiben received Rs. 3,700 per month. Like them Kalpanaben and Ratnaben also received the respective salary of Rs. 7,700 and Rs.3,700.

**Image 3.23: Anganwadi Centre and Primary School, Mubarakpur**



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The Anganwadi managed by Yogitaben catered to following groups of people:

**Table 3.1(A): Groups of People at Anganwadi, Mubarakpur**

1.	Infants (0 to 1 year)	14 Boys ; 10 Girls
2.	Babies (01 to 3 years)	11 Boys; 12 Girls
3.	Child (04 to 6 years)	13 Boys ; 17 Girls
4.	Pregnant Women	08
5.	Lactating Mothers	10

The Anganwadi managed by Kalpanaben was situated on the Saibaba Temple Street and mainly caters to Tribals children in different age groups of:

**Table 3.1(B): Groups of People at Anganwadi, Mubarakpur**

1.	Infants (6 months to 1 year)	4 Boys ; 13 Girls
2.	Babies (01 to 3 years)	9 Boys; 6 Girls
3.	Child (04 to 6 years)	8 Boys; 9 Girls

Kalpanaben stated that in her AW the number of children keeps changing owing to the fact that tribal people of this region migrated in search of labour in Bardoli Sugar Factory, Gandevi Sugar Factory and to Saurashtra for 6 to 7 months in a year taking their infants and small children along with them. According to her this also had an adverse effect on the health and education of the small children. If they did not get the adequate food, health requirements and education, it would hamper their overall growth.

**Image 3.24: Anganwadi Workers Sharing Details with Investigator, Mubarakpur**



## Functioning of Tribal Political Structures

In the AW nutritious, vitamin rich food was served for the children and other groups aiming for their mental and physical development. According to the AW workers pre-cooked food were served to the children at 08 am and 01 pm, six days a week with the menu as presented in Table 3.2.

**Table 3.2: Menu of Nutrition Food Provided in Anganwadi Centres, Mubarakpur**

<b>Weekdays</b>	<b>Morning Snacks (8 am)</b>	<b>Afternoon Snacks (1 pm)</b>
Monday	Sukhdi (sweet dessert snack made with wheat, jaggery, and ghee)	Green vegetables, Masala Bhakri/Roti (flatbread) , Thepla (flatbread prepared of wheat flour, chickpea flour and fenugreek leaves), Masala Bhat (spicy rice preparation loaded with veggies), Toor Dal (lentil) , Moringa leaves and vegetable curry
Tuesday	Vegetable Khichdi (rice, vegetables and lentils), Sheero (sweet desert made with semolina or wheat flour, ghee, and sugar).	
Wednesday	Sheero	
Thursday	Green vegetable Muthiya (fist-shaped dumpling made up of chickpea flour, vegetables and spices)	Vegetable Pulao with Moringa leaves curry and Masala Chana (Spicy chickpea)
Friday	Sheero/Sukhdi	Doodhi-moringa Thepla (flatten bread prepared of wheat flour, chickpea flour, bitter Gord and moringa leave curry) and Masala Chana
Saturday	Sweet Pudla (sweet pancakes made with wheat flour and jaggery) and bhakri	Masala Dhokla/Idli (steamed savory cake made with fermented batter of lentils and rice)

It was mentioned that the provision of food was according to the government implemented schemes. Anwadwadi also provided nutritious food to pregnant women and lactating mothers under the ‘healthy mother, healthy child’ scheme. Under this home ration was provided which include 1 kg toor dal, 2 kgs chana and 1 liter edible oil every month to pregnant women and lactating mothers for 1000 days<sup>x</sup>.

### ***Livelihood***

According to the elderly people of the village (shared in group discussion) most of the land of the village was irrigable land and was very fertile. This implied village being an agricultural village with almost 85 percent of the people engaged in farming with large number of people working as farm labourer. About 10 to 15 percent were engaged in masonry and animal husbandry. Another income source of livelihood especially for the Tribals was fishing industry. Gurjar Patels of the village being vegetarian did not take up this occupation and remained mostly into agriculture.

## Functioning of Tribal Political Structures

Natural minerals such as sand, gravel, etc. were found in abundance in the Tapi River, therefore, the villagers in the vicinity benefited greatly from the Tapi River. Most of the people did not possess the tools needed to mine sand and gravel from the river bed, hence mining traders from out of town, especially Surat, who own leased machines, did the sand mining. The village people gained employment through the traders as daily wage labourers or semi-skilled workers. These traders had availed land in the vicinity of the Tapi River on an 11 years lease and rent by paying a premium to the government. Therefore, the road passing through the village led straight to the river. Roads were constructed on all land parcels located on the main road. Sale of sand and gravel amounted to lakhs of rupees to the traders. Sand prices had skyrocketed from the earlier price of Rs. 1200/- to Rs. 1500/-, therefore traders had begun hoarding stock. Now they sold sand at Rs. 5000/- and more for one ton of sand. Sand from the river Tapi was supplied to all corners of Gujarat and Maharashtra. It is supplied in big quantities to Mumbai, Nasik and Pune in Maharashtra at double the price it was available in Gujarat.

It was stated that the mining activities had affected the river and its river bed. The river bed was damaged due to lakhs of tons of sand being mined. The diesel and oil used to run the machines polluted the river and endangering the fish and other creatures in the river. The adverse effect was also felt on the crop yield. Previously what was potable drinking water of the river was now used only for household chores. Villagers showed concerned as they felt that continuing of mining would soon result in the loss of the rich minerals present in the water of the Tapi, besides depleting the level of sand and its shortage. The government had introduced various measures to stop the mining but the measure announced were not implemented.

### ***Others***

The road leading to the village and running through it was 3 kms long. There was a pucca road from the highway to the village. Most parts of every street in the village were paved with paver blocks. There was a historical well in the village which had not run dry till date. Every house in the village had a tap connected to the village tank. A borewell has been dug to cope with water demand during summer months. Water from the borewell was pumped into the well during summer for extra water supply. Electricity was available 24 hours a day.

**Image 3.25: Main Entrance Road towards Village, Mubarakpur**



**Image 3.26: Common Water Channel (*Hawado*) Built to Wash Clothes, Mubarakpur**



The village had a Gram Panchayat which was situated at the centre of the village. The government had appointed a talati-cum-mantri and a peon to run the Gram Panchayat. The grievances of the villagers were represented in the Gram Panchayat by the Sarpanch. The Gram Sabha was organised in the Gram Panchayat of the village once or twice in every five months. Leaders, educated individuals and elders of the village were invited for discussion on developmental works.

**Image 3.27: Marriage Ceremony as per Tribal Rituals, Mubarakpur**



The marriage among tribals living in the village are in accordance with the rituals as seen among other tribals of the region. Likewise Gurjar patels follow their own tradition.

## Notes

<sup>i</sup> Estimates as per aadhar uidai.gov.in Dec 2023 data

<sup>ii</sup> [https://www.indiagrowing.com/Gujarat/Navsari\\_District](https://www.indiagrowing.com/Gujarat/Navsari_District)

<sup>iii</sup> Complementary to office assistant in traditional governance system of tribals in Dang and other tribal dominated district in Gujarat state

<sup>iv</sup> Asphalt roads are made up of a black substance mixed with small stones, sand, etc., that forms a hard surface when it dries and is used as a surface for roads. These roads are cheaper to build and are less durable unlike concrete or cement roads.

<sup>v</sup> Water and Sanitation Management Organization (WASMO) was created for bringing perceptible systemic changes through a paradigm shift in the role of governance from provider to facilitator and citizens engagement in drinking water service delivery at users level in rural areas of Gujarat State. In 1993, the 73rd Amendment to the Constitution created a paradigm shift in the drinking water sector. With aim to take up community managed reform process in drinking water sector, WASMO was established by Government of Gujarat as a Special Purpose Vehicle (SPV) in the year 2002 to facilitate the community in development of water supply facilities in rural areas of Gujarat. Initially it facilitated in 82 villages of Bhavnagar district under community-managed demand-driven decentralised system. WASMO was further assigned with bigger role to facilitate community in 1260 earthquake-affected villages spread across whole of Kachchh, part of Jamnagar and Surendranagar and Santalpur taluka of Patan district. Looking into success achieved in boosting community participation, its activities got scaled up by making WASMO responsible for all districts in the State. Today its outreach is in around 11,000 villages. Operation and maintenance of village water supply system is arranged by the community through Pani Samiti. Although treated safe water is ensured at one point of the village and one electric power connection subsidy is also given for water supply by the State, community is motivated to share part of operation and maintenance cost through water tariff. For more details see: <https://wasmo.gujarat.gov.in/showpage.aspx?contentid=43> ; [https://wasmo.gujarat.gov.in/downloads/annual\\_report\\_2012\\_13.pdf](https://wasmo.gujarat.gov.in/downloads/annual_report_2012_13.pdf)

<sup>vi</sup> <https://www.census2011.co.in/census/district/203-the-dangs.html>

<sup>vii</sup> <https://cdn.s3waas.gov.in/s3d7a728a67d909e714c0774e22cb806f2/uploads/2018/06/2018062982.pdf>

## Functioning of Tribal Political Structures

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<sup>viii</sup> This extract is a combination of two forms. Form-7 talks about the details of the landowners and his rights and Form-12 lists specifics about the land type and usage. This 7/12 Extract Document is maintained by the revenue department of the state for tax collection purpose. The extract is issued by the Tehsildar or the concerned land authority.

<sup>ix</sup> Today, the Gurjars are classified under the Other Backward Class (OBC) category in some states in India. However, in Jammu and Kashmir and parts of Himachal Pradesh, they are designated as a Scheduled Tribe under the Indian government's reservation program of positive discrimination. Hindu Gurjars today are assimilated into several varnas.

<sup>x</sup> The aim of introducing the scheme is to improve the nutritional status of pregnant women and mothers of young children while meeting their calorie and protein needs. The focus is to improve the maternal and child health especially the first 1000 days of life- the time between conception and to the child's second birthday. The beneficiary include women who are conceiving for the first time and mothers who give birth to their first child till the child complete 2 years of age.



## Chapter 4

### Socio-Political Governance Structure in Tribal Villages

The Economic Survey (2023) notes that the percentage of the population living in India's rural areas presently stands at 65 percent for 2021<sup>i</sup> and 47 percent of the population is dependent on agriculture for livelihood. The emphasis of the government has been on improving the quality of life in rural areas to ensure more equitable and inclusive development. The aim is towards transforming the lives and livelihoods through proactive socio-economic inclusion, integration, and empowerment of rural India<sup>ii</sup>. Good rural governance is imperative to help translate various programmes and schemes of the Government at the grassroots level, ensure equal rights to all, and achieve sustainability of rural development programmes (Economic Survey 2023)

The affairs of the village have traditionally been handled by the *mukhi* or *mukhiya* or chief village head elected by the local people. This refers to the local self-Government implying management of local affairs by local bodies of leadership. In political or administrative terminology, it could be denoted as village Panchayats.

As far as the system of rural local self-government in India is concerned then its history could be traced back to the Vedic with the mention of '*Panchayatan*' i.e., group of five persons. In Rigveda also there is a mention of local democratic self-units as *Sabha*, *Samiti* and *Vidatha*. Kautilya's Arthashastra also refers the village panchayats with local bodies being free from any royal interference. In Mauryan and Gupta periods too the system played prominent role. Even in medieval period of Sultanats the villages had sufficient powers as regards self-governance in their territory. Though for the governance of a village, there were three important officials - *Mukkaddam* for administration, *Patwari* for collection of revenues, and Choudhrie for settling disputes with the help of the *Panch*. However, it is significant to note that there is no reference of women heading the panchayat or even participating as a member in the panchayat in all its past history. Thus, it can be said that in ancient India, there existed a well-established system of local government which was run on a set pattern of traditions and customs with different nomenclature and patterns. The assembly of village people was formed in order to govern the local areas. Under the British regime, village panchayats lost their autonomy and became weak only to see the emergence from the year 1870<sup>iii</sup> and especially since 1907<sup>iv</sup>.

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In post-Independence period, the government continued the British introduced Indian Village Panchayats Act of 1883. After the Constitution came into force, panchayats got a place as Article 40 of the Directive Principles of State Policy. Since the Directive Principles are not binding principles, the result was the absence of a uniform structure of these bodies throughout the country.

As a system of self-rule in the villages in India, the village people themselves resolved conflicts through selection of *Panch* i.e., five members of village elders or respectable men who could be influential or knowledgeable persons. All quarrels, disputes, violent conflicts, etc. among villagers are resolved by the *Panch*. The *Panch* also presides over disputes regarding divorce, birth ceremonies, or celebrations of festivals. The decision of the *Panch* is binding to all. Moreover, the *Panch* governs under an oral constitution and certain rules laid down for the village to be obeyed. In case of breach of the rules a penalty is announced in consideration of the will of the local people and the situation. This local self-rule is very strong and decision is considered final. Considering the regional variation of the country and its villages in terms of geography, demography, culture and so on, the self-governing structure of the villages thus exhibit no-uniformity but variation. Moreover, with the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments, 1992, one could witness the dual governing structure of traditional as well as constitutional<sup>v</sup>, especially in Tribal dominated states or villages.

This chapter discusses the dual governing structure in the selected tribal villages. It was observed that these villages had their own traditional *Panch*, which still holds importance in the everyday life of its people besides the presence of statutory panchayats. Though these two bodies of governance have their own specific roles and responsibilities but, in some cases, they show their convergence for the welfare of the village and its populace.

### **(I). Tribal *Panch* and its Role**

The Adivasi community in rural areas have preserved the existence of traditional Tribal *Panch* (TP) system even though such systems is no longer functional in various cities and states of India. It is a pivotal part of the village as the social organization in the village is maintained by the *Panch*. In case of heated argument, violent quarrel, marriage, betrothal, divorce, torture or any other kind of dispute, the TP listens to the complaints, fixes the amount of penalty according to the rules of the community and resolves the dispute after the penalty is paid. As said earlier there is no written constitution for a TP but some powers are given to it by the village. It is formed by the people of the village and is assigned the administrative task of the village. According to given power the *Panch* control the people of the village. In which some

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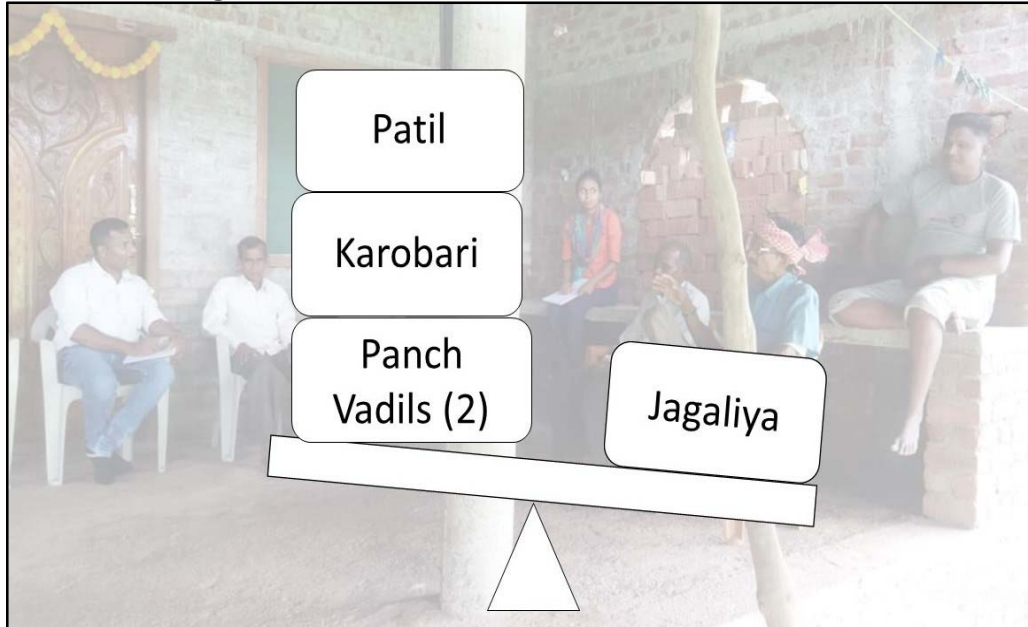
policies are made to settle marriages, divorces, disputes and based on those policies the *Panch* and the people of the village have to act. In case of violation of those rules, a fine is also decided, the fine depends on the local people and the situation of the people of the village and the decision of the *Panch* is considered as the final decision which people of the village have to be followed.

The establishment of the Tribal *Panch* depends upon the choice of majority of the village people. But in most villages, it is hereditary i.e., mostly persons are selected from the family members from the paternal grandfather who held post in this panch. The *Panch* consist of five members, with three of them holding major roles. In Gujarat tribal belts the three among five members are known as: (i) *Patil*<sup>vi</sup> (Village chief) (ii) *Karobari* (or Village administrator) and (iii) *Jagaliya* (or village information carrier). The rest two members are referred as *Panch Vadils* or Assistant whose role is mainly of assisting the *Panch*. The TP members are mix of young and old people. Its members are especially selected from the educated people of the village, who had more money and land, and the dominant families of village, especially true for choosing the *Patil* and *Karobari*. While selecting the members it is also seen that the members can speak in front of the people of the village and have good status in terms of property, money and can present the problems or questions of the village very well to any government/police official and have the ability to solve any problem.

The *Patil* and the *Karobari* usually manage all the works of *Panch*. There are no women members in the *Panch* because in earlier times women were not given importance. The men became the *Panch* members while the women managed the house, worked in the fields and looked after the children. Women were excluded from all other activities. This situation continues in the TP and reflects the patriarchy even among tribals where men were given more importance over women especially in the roles of leadership and in decision making process. The tenure of the *Panch* can be more than 5 years and also less than 5 years.

In terms of hierarchical position and responsibilities, the *Patil* stands at top followed by *Karobari* and *Jagaliya*. These three remain most important in the hierarchy. Their positional social status could be summarized as:

Figure 4.1: Social Position of Tribal *Panch* Members



### ***Patil***

The position of *Patil* in the village is that of village headman and it is especially hereditary as their forefathers have served in this title respectively since before the election of *Patil*. In the village especially those who have land, money, persons who have more cattle and skilled in speaking and who have the ability to decide on a matter of right or wrong are appointed as *Patils*. Since the selection is with the consent of majority of the people hence, he is being held accountable for his tasks and responsibilities. In some circumstances they are replaced. And even if changed, another person is selected from his own or extended family.

Various social problems such as violent quarrels, divorce, fights during weddings, etc. occur on a routine basis in the village. The village people approach the *Patil* to resolve such conflicts. *Patil* as the headman of the village has the responsibility of solving every problem of the village or issues arising in the village. He is expected to deliver the unbiased judgment in such cases in consultation with the *Karobari* and other *Panch* members. This is the main task of the *Patil*. Besides whenever there is a festive occasion in the village, the *Patil* is the first to be invited because he is the *mukhi* i.e., chief for the people. He plays a major role in the festivals and marriages celebrated in the village. Main functions whether it is community or religious marriages without him is hardly possible. The marriage is done with the consent of the *Patil* of both the villages of bride and groom and according to the customs of both the villages. The *Patil's* essentiality in marriages is important because in case of fights among couple, family or of divorce it is they who had to solve the problem. *Patils* as the head of

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respective villages of couple are kept as a witness so that in future if any problem arises they are the one to whom family can approach and get it resolved. Thus, till now the people of the village do not marry without the attendance of *Patil* in all kind of rituals starting from marriage proposal for boy or girl, inviting or visiting the family to finalizing all the functionalities.

Normally, *Patil* has all the powers and he actually carries out the decisions on the administration of social affairs. TP has an oral constitution of laws for certain matters of the village, according to which the people of the village have to live and *Patil* has rights to govern the village. For instance, if anyone violates the village law, then the *Patil* fines them as per the law decided by the TP and he along with *Karobari* decide the wages to be paid to the labor related to agriculture in the village etc. The decision to use the money of the *Panch* is also decided by *Patil* and if any problem arises in the village, the *Panch* decides when and where the people will gather. The selection of *Patil* mainly remains hereditary but people have choice to select the person who was ahead in most spheres from the family of *Patils*.

In Mubarakpur, Bajirao Jadav Patel (55 years) is the current *Patil* and had served the job since many years. From generations the *Patil* of the village has been always appointed from this Patel family. His father Jadhavbhai Patel was the former police *Patil* of the village. The generational exchange of post over the years was also reported in Kanadha by the Rambhai Jadav, who is a teacher and son of the village *Patil* (of last active TP). He informed that the Kanadha has so far seen four *Patils*. His great-grandfather Ganjubhai Bhaylumbhai Jadav held the responsibility of first village *Patil* for about 30 years. Later, his younger brother Jamubhai Bhaylumbhai was given the responsibility by the village people who worked for five years. The third and fourth *Patil's* were Subhanbhai Bhimjumbhai Jadav and Jatrubhai Shukkarbhai Chawdhari respectively. First three *Patils* of the village were from same family and fourth was from different family, but of the same common lineage. The shift of *Patils* to different family was because the people of the village felt that Jatrubhai can also do good work as a leader in the village, so should be given the responsibility to which the Jadav family also agreed. He also said that his father was chosen for the post also because he is superior economically, he owns more land than others in the village. He is ahead in all matters due to his economic standing<sup>vii</sup> and have skills to handle issues. All the problems of the village are solved in the village itself operated by the *Patil* of the *Panch*. Be it a case of divorce or violent quarrel or marital dispute, the *Patil* suggests the solution. Hence any problem was first taken to him where he decides to hold a *Panch* meeting for reasonable solution. It was also mandatory to have his presence for all the weddings and funerals in the village. Interaction with few villagers in Kanadha revealed that some people worked (like harvesting or labouring in fields) for the *Patil's* for free because

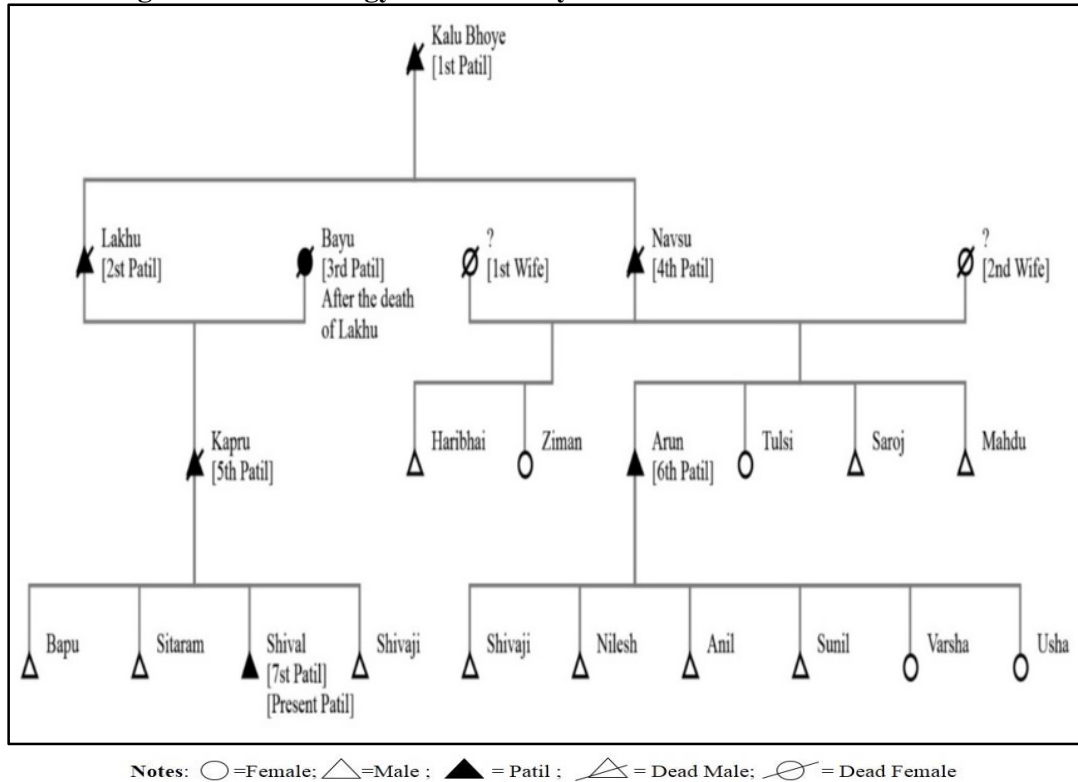
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they helped them in their work and solved their problems. It was also found that since last 20-25 years, the TP in the village has been dissolved and there is no appointed *Patil* as such, though those who had been in the post are still consider and refer themselves as *Patil* of the village. Due to non-existence of TP in Kanadha, all the responsibility of *Patil* is now being shouldered by the Sarpanch. Thus, in the village, the structural importance of TP has disappeared. Although some of its role (i.e. works) is handled by two persons, the responsibility assigned to them by the villagers.

Reportedly it was found that among the tribals living in Kanadha so far, all the *Patils* have been from Kunbis even though the number of Warli people in the village were more. They did not allow any other tribal clan or group to take power. The post is taken over from somebody within the family. Hence, the *Patil's* post gets transferred among Kunbis only due to hereditary characteristic rule. Their control over the post was also because they being economically well off and ahead in educational, political and agricultural matters. Their economic position also implies their power of influencing people. Unlike Kunbis, the other tribal groups of Kolcha and Warlis, living in the village were economically weak. Majority of them, especially Kolcha's being landless work for the Kunbis. Poverty among them also impacted their backwardness in many spheres especially educational progress which is very low. Kolcha's backwardness to large extent also disempower them to stand for important position of *Panch* if there exist a possibility of change of the *Panch* by the village people.

The hereditary succession of the post of *Patil* was also true in Gadhvi village. Like observed in other two villages, the *Patil* is selected on the basis of the land he owns, his wealth and his cattle. Another criterion seen here was of being an impressive speaker as he is the one who is able to decide what is right and wrong. The current *Patil* Shivalbhai Kaprubhai Bhoje comes from a family who have been remained as *Patils* (Figure 4.2). Interestingly, the third *Patil* was women, who held the post after his husband's death, and after her death it was taken over by her brother-in-law.

**Figure 4.2: Genealogy of the Family who worked as *Patils* in Gadhvi**



Usually, the position of *Patil* has certain time limit (like five years). The same person can continue further, if the people of the village want them and as long as they think it is suitable or he is replaced upon death. But if they want to change for any reason they get together and take the position from them and select a good and capable person from their family. In Gadhvi till today, this has happened only once. The *Patil* has to be replaced in the middle because Arunbhai (6<sup>th</sup> *Patil* in family genealogy), got addicted to alcohol and did not solve the problems of the people and neither fulfilled his expected duties and responsibilities properly. The villagers felt that he is not working well as a *Patil*, so he was removed from the position and Shivalbhai, the son of his own uncle, was chosen then and the responsibility of the *Patil* was handed over to him.

A meeting with Shivalbhai Kaprubhai Bhoye, revealed that he has been handling the post for the past 25-26 years (since 1997). He has inherited the position from his paternal grandfathers during the time of Raja. First *Patil* from his family was Shivalbhai's great grandfather Kalubhai Bhoye chosen by Shilpat Raja the erstwhile King of Gadhvi. Since then till today the people of the village have been choosing the *Patil's* from this family. Giving details of how the family inherited the post, he said that his ancestors belonged to Bhathoda village in Maharashtra. They were cattle-rearer and owned many cattle-heads. While grazing

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cattle they came to Pipri in Dang district and decided to settle there. Three of their families namely Bhavsu Bhoje, Devansu Bhoje and Ravju Bhoje migrated to Pipri. Later Bhavsu Bhoje moved to Gadhvi village, Devansu Bhoje moved to Kotamba, while Ravju Bhoje remained in Pipri. When they were in Pipri, the King of Gadhvi came to Pipri to visit his sister. He saw that cattle had grazed in open spaces and the surroundings looked neat. He took a liking to the place and he thought that if he took the cattle owner to Gadhvi, the village too would become neat. Therefore, he invited the cattle owners to Gadhvi and bestowed upon them the title and post of *Patil*. They continued to serve the Kings generation after generation so well that *Patils* were always appointed from their family. Shivalbhai and his brother Shivajibhai said all the Kings were very good. They treated all the subjects equally but their soldiers misbehaved with the people, beat them up and exploited them.

As *Patil* of the village, Shivalbhai works to resolve any conflict that arises. He plays an important role in marriages. Marriages in villages are hardly possible without the *Patil's* presence, be it a Christian wedding or a Hindu one or any other community wedding. If for any reason Shivalbhai has gone out of the village and if any problem has arisen in the village, his younger brother Shivajibhai steps in his place. He takes over his entire duties and the villagers also agree with the decision he made in Shivalbhai's absence. Being from the same family he was also considered as *Patil* by the villagers. So, both brothers are taking charge as the *Patils* of the Gadhvi village. Notably all marriages are fixed with the consent presence of the *Patils*. They also play an important role in funerals. They ask each house to donate five sticks of firewood for the cremation. He also mentioned that various festivals like *Akhatrij*, *Terasan* (a type of vegetable grown in the forest during monsoons), *Navun khawano san*, (i.e., festival of Sun) and *puja's* like *Vaghbaras*, *Gamdev*, *Bolavo*, Diwali, Holi, were celebrated under the supervision of *Patil*. In such occasions where entire village gather together the village *bhagat* (priest) and the TP have to perform the main responsibility. He further cited that *Patil* has a major role in terms of deciding how much contribution per household should be collected for such occasions. The TP estimates the amount of expenditure for each of such events and decides the contribution.



**Image 4.1: Patil - Shivalbai with Investigator, Gadhvi**



It was also observed that in Gadhvi a forest committee (not stated in other two villages) has been formed in which the government provides tools or money for the development of the village from the forest department as part of some schemes from the government. As a *Patil* of Gadhvi, Shivalbhai also has to check or supervise whether those who are members of the forest committee are relieving the money or material assistance properly and is received by the villagers or not. He mentioned that once he distributed cooking vessels to the village people from that money. When the amount is large, he distributed the tin sheets for roofing. While delivering his roles, before arriving at any decision, Shivalbhai and Shivajibhai have discussions with the *Karobari* and the Sarpanch of village.

#### ***Karobari (Karbhari)***

Karobari is an administrator and account holder of the TP. His appointment is also like the *Patil* where his financial condition and hereditary status is kept into account while choosing him. Considering his position, it is seen that he should have certain level of education along with some accounting skills. The main function of *Karobari* is to keep the accounts of the numbers and collected money of fines fixed by the TP, the contribution money collected from the village per household (for festivities), how much to spend on events and festivals celebrated in the village and to provide items or things the *Bhagat* (priest) use in the *puja-path*. Besides

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he is also responsible to keep an account of the money left over from the contribution money collected from the village, especially in the case of quarrels or divorces in the village.

His role and responsibility are similar to that of *Patil*, with him being initiating the meeting, discussion and proposals, but the final decision is in the hands of *Patil*. The *Karobari* has an important role in social events of the village like *Patil*. For instance, the entire responsibility to see that all the marriage customs are properly followed rests on him as it involves monetary expenses. It is the *Karobari* who supervises the decree on the amount of transaction to be done by both the parties in the marriage ceremony. According to tribal law, the cost of marriage is disclosed to both the parties and both parties have to pay accordingly. He along with *Patil* also fixes the date of the marriage besides was given the responsibility of how many pairs of clothes to buy, which ornaments (gold or silver *mangalsutra* and other items) to buy keeping the economic condition of the family in mind and so on. He also decides the quantity of food grains to be taken from the groom's family for the wedding feast. Also, it is the *Karobari's* responsibility to see that the dowry amount given by the groom's family to the bride's family is as per rules. In Mubarakpur the fixed dowry amount (known locally as *Navara*) is Rs. 3500 and Rs. 2100 in Gadhvi. In short, *Karobari* deals with recording all the economic transactions that takes place in various events of people's life in the village.

In Mubarakpur Ashok Jahersingh Thackeray was given the position of *Karobari* and according to him he has been holding the position for the last 12-13 years. He is an educated person and as his work demands he has an account - book of all the activities of the TP. And every time the TP sits, he informs the people of the village about TPs budget or account book. As mentioned, his selection depends on Village *Patil* and the people of the village.

Similar to handling marriages, the *Karobari* also decides which day to celebrate which festival, with the final consent of *Patil*. Traditionally the tribals have been non-vegetarian and sacrificing fowl to their deities of *Vaghdev*, *Dungardev* and *Annamata* but when to perform these activities comes as one among the various tasks of *Karobari*. For instance, in Gadhavi the auspicious day on which fowl is to be sacrificed is any day of the week except Monday or a Friday, because these two days are considered inauspicious for any kind of sacrificing to the deities. When someone dies in the village, the day for the *trijyu* (third day) and *barmu* (twelfth day) i.e., post funeral rituals was fixed by the *Karobari* only. He also plays an important role in cases of quarrels and divorce along with *Patil*. Likewise, in Mubarakpur there are many things involved in a wedding and the responsibility of bringing all the wedding materials and giving them to the girl's family is handled by the Panch especially by *Karobari*. He also takes care of festivals celebrated in the village and many rituals are performed. For instance, a

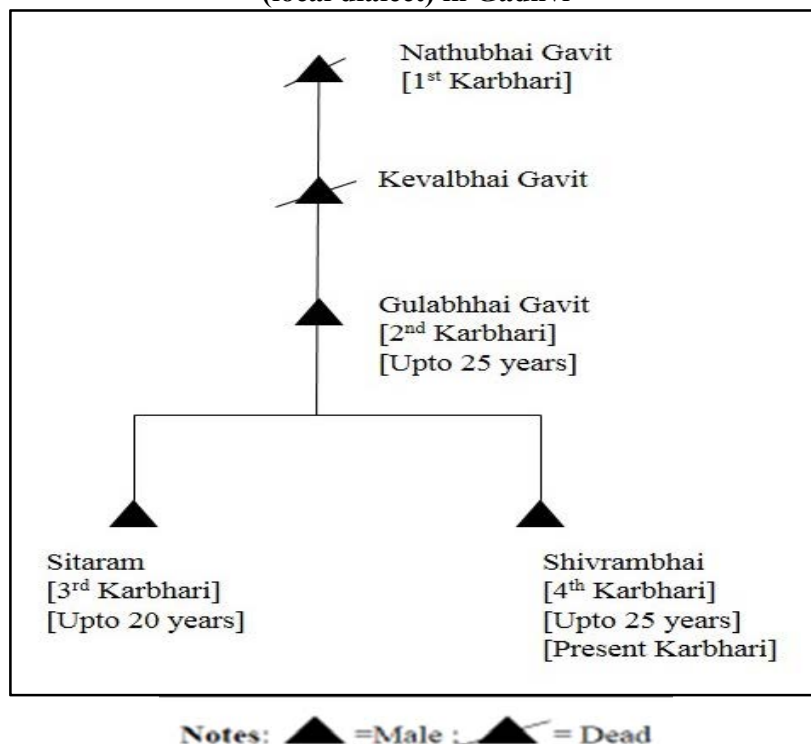
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traditional ritual of animal sacrifices every year wherein goats and chickens were offered as sacrifice to the clan goddess. It involved ritual of tying the village by spells and village feast. The entire expense is borne by the village people. Money is collected from each house and *Karobari* keeps an account of it about the total collection and expenses to be presented whenever asked by TP and the villagers.

In Kanadha according to Garjubhai (villager), the *Karobari* is selected by the village people or by the *Patil*. He does the work assigned to him. The wages for labour are the same for everybody in the village as it was decided by the TP. As his role he also takes the decision regarding what to do, how to proceed and how to impart justice to the parties that have come to the TP after holding meeting with the *Panch* members. In Kanadha village, Kalebhai Zhulebhai Jadav was first selected by the village people as *Karobari* and he worked for about 25 years, and later another member of his family namely Devjubhai Dhedubhai Jadav handled the same post. The next in line was the Mangalbhai Balubhai Jadav who continued to work for 10 years. All these were from the same tribal group of Kunbi. The fifth *Karobari* of the village was Gansubhai Vadu and belonged to the Warli tribe which are numerally more in the village. According to Garjubhai, *Patils* and *Karobari* were always made from Kunbi but Warli's became wise and educated, and they were selected for the same post in TP. The people of the village mentioned that if chosen *Karobari* didn't perform his work properly or because of his age, he gets replaced by the people. But since there is no TP as such in the village so no person works as *Karobari* presently. But it was seen that in every village lane (14) they have their own 'agyavaan' i.e., leaders who handles the issues related to people such as events related to birth, marriage and death and take decisions regarding what to do, how to do it, etc.,

*Karobari* post also denotes hereditary position as mentioned by Garjubhai of Kanadha and at the same time it also takes into account the economic standing (e.g., wealth, land holdings) of the person like seen in the case of choosing *Patils*. For instance, the *Karobari* of Gadhvi village, Shivrambhai Gulabbhai Gavit belongs to a family from which *Karobaris* have been appointed down generations (Figure 4.3).

**Figure 4.3: Genealogy of the Family who worked as *Karobari/Karbhari* (local dialect) in Gadhvi**



In a meeting with Shivrambhai, he informed us that he has been in charge for the last 25 years. He has inherited the post from his paternal great-grandfather and father. Before him the post was held by his brother. The family was bestowed this privilege by the erstwhile rulers where his great-grandfather Nathubhai Gavit was first chosen as *Karobari* and till today a member from the same family is chosen for the position by the people of the village. As *Karobari* he makes his presence in every auspicious and inauspicious events of the village, and plays a key role as the second member of the TP and to work as an assistant to *Patil*.

Like *Patil* his role is equally important in quarrels and divorce cases as he handles the accounts to be paid or received as penalty. In such cases the gathered meeting starts with the conversation lead by him. Both parties were inquired and questioned in turns and is discussed with *Patil*, After hearing views of both parties and discussion with *Karobari* and other two members *Patil* gives the final ruling to be accepted by both parties. Also in the marriage ceremony, he has to be present from the beginning to the end, which is necessary because he is the person who is in charge of transaction of money for various expenses like clothing, gifts, dowry and on. Thus, as *Karobari*, Shivrambahi takes care of managing the various occasions

or events in the village as well as maintaining financial records of social-ethnic activities taking place in the village.

**Image 4.2 : Karobari-Shivrambhai Sharing Informatoin with Field Investigator**



Gadhvi being a King's village, the relation between the *Karobari* and King was apparent as it was the King who has bestowed the post of *Karobari* to Shivrambhai by himself. He said that the present King, Karansinh, treats everybody with respect. He has never harassed the village people just as his ancestors never threatened or tortured their subjects. They were kind hearted. As land holdings play important role in holding TP position, originally Shivrambhai's family and other people did not had land. They were given agricultural land by the erstwhile King so that they could earn a living. Currently, the Karansinh remains present for auspicious and inauspicious occasions in the village.

### ***Jagaliya***

The appointment of *Jagaliya* is also hereditary but the person who is chosen as *Jagaliya* should have a loud voice. When there is a message to be conveyed to the people of the village, his voice should be heard by all and he can perform his duties on any auspicious or inauspicious occasion. In practice the information is to be conveyed to the village people by standing in the middle of the village or on the border and shouting the message loudly so that the villagers can hear and inform the other villagers. Moreover, he should be a person who can do any work without feeling ashamed and has good rapport with all the community or caste people living in

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the village and can attend every work as decided by TP. *Jagaliya* can be chosen from any tribal community living in the village, but mostly a person from the lower tribal clan/group (among multiple tribal groups living together in a village) is chosen first so that he can do all kinds of work.

Like Patel and *Karobari*, the task of the *Jagaliya* on every occasion of the village is of importance. The chief responsibility of his is to go from door to door to announce good and bad news of the village whenever need be. He has to convey the information of auspicious and inauspicious events to the people, such as when someone dies in the village, the message has to be conveyed to the people of the village as soon as possible, like to the village priest in the morning. So, *Jagaliya* is the carrier of the information of events.

Various festivals and occasions are celebrated every year in the village so *Jagaliya* go and shout in a loud voice and inform the people about the day fixed by the members of the TP to celebrate the festival in the village. His role in marriage and other social events is also important as different items, materials and resources are required for that. So, like *Patil* and *Karobari*, whenever there is an occasion in any family, the presence of *Jagaliya* is important and he is the first to arrive. In marriage ceremony, the information about the marriage-law or rules has to be given to the opposite party and when the marriage is decided, the job of going to get sweets is assigned to the *Jagaliya*. Even if some meeting has to be made due to some reason, he has to inform about the meeting and place immediately to the people. The tenure of the *Jagaliya* depends on the people and the elders. In case of the death of the *Jagaliya*, a member of his family or person of the choice of the village people and elders is appointed in his place.

Makubhai Shidyabhai Nayak, 71 years is the *Jagaliya* of Mubarakpur village. He has been offering his services as *Jagaliya* for the last 25 years. It is his hereditary profession. Prior to him his father Shidyabhai Nayak was the *Jagaliya* of the village. Due to his post, he is the first to be present on any occasion be it birth, death or other because he is the one who informs the villagers about the event. Though he is 71 years old but looks healthy and fit, which to an extent is requisite for the *Jagaliya's* because of the tasks they had to perform. In person he is very well respected in the village.

Speaking about his task Makubhai said that among other festivals in Mubarakpur the *puja* ceremony of '*lili chari or ghato*' (green vegetation) takes place. He takes care of the *puja* ceremony which is to be performed according to age-old custom. He goes from house to house to collect the money that the TP has decided towards expenses of the celebration of '*ghato*'. The accounts of this are maintained by the *Karobari*. As a ritual the villagers offers the first

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harvest of their agricultural product to the clan deity *Dev Mogra Mata* in keeping with the tradition of the village. Goats and fowl are also bought from the amount collected. Three to five goats and one to two fowls are sacrificed and their blood is offered to the clan deity and the meat is distributed as *prasad* among the villagers. In this ceremony Makubhai takes round of the village boundary and ties it through reciting *mantra* or wizardry to ward off all types of calamities, pandemics, and occultists to keep the villagers safe.

A meeting with Sunilbhai Lokhde (*agyavaan*) of Kanadha, revealed that Dhakalbhai was selected from the Kolcha tribe as first *Jagaliya* by the village *Patil*, *Karobari* and the people. The first village *Patil* Ganjubhai Jadav, brought a family from the village of Guhi (Chichpada) in Maharashtra to work in his farm. Because no one from the village wanted to be a *Jagaliya*, so in the eyes of the *Patil*, Dhakalbhai was made a *Jagaliya* as he was considered suitable for the work, which was then supported by others. After him, the Radkebhai, Magjumbhai and Subhanbhai were next *Jagaliyas*. All of these are from the Kolcha community, which was considered lower to that of other tribes i.e., Kunbi and Warli living in the village. In the area next to Kanadha village *Jagalya* is known as *Kathe*. Sunilbhai mentioned that before the advent of statutory GP in the Kanadha village, the *Jagaliya* was only performing his duties as a member of the TP, as a messenger and performing his duties as required during village festivals. After GP, *Jagaliya* was also assigned the job of a peon in the village panchayat office, cleaning of the panchayat office and doing all the work assigned by the *talati* (village accountant) or sarpanch. Due to his new tasks the other TP members and people of Kunbi and Warli caste thought that if any person from the district headquarters or taluka comes to the panchayat office, they would drink water from Kolcha caste *Jagaliya*. And the leaders decided that henceforth *Jagaliyas* would be formed not from the Kolcha caste but from the Kunbi or Warli caste. They felt that since *Jagaliya* as peon at panchayat office would get a salary of Rs.1200 per month so any person even Kunbi or Warli would be ready to become a *Jagaliya* which was impossible earlier. Due to change of work (a job in GP office) and a fixed salary people from the Warli caste came forward to become *Jagaliyas*. These in sequential order are: (i) Dashrebhai Gangoda; (ii), Navlumbhai Bahtar (iii) Subhanbhai Lokhandi; and (iv) Nareshbhai Kanse, who is currently performing his role as village *Jagaliya* along with being a peon at GP office. His dual job includes- to clean the Panchayat, make arrangements for the TP or Gram Panchayat (GP) meeting, organize festival celebrations in monsoon and summer, to visit the house of the person/s for whom the *Panch* is holding a meeting. As his expected role he makes announcements regarding all special matters or the events that happens in the village.

**Image 4.3: Meeting with Village Elders and TP Members, Kanadha**



In Gadhvi, like other posts of TP, the King has always played a role in the appointment of the *Jagaliya*. It was during the first King Jarasing and during his son Silpatsingh who named the *Jagaliya* for TP. The Kings influenced remain important till 1970s but now all the TP members are chosen by the village people only.

Surjansinh is the current *Jagaliya* of Gadhvi. He belongs to the Bhil community and has been in charge of this post for the last 3 to 4 years. The appointment of the *Jagaliya* also transfers hereditary as seen in Mubarakpur, but Surjansinh's appointment is not hereditary as before him the *Jagaliya* was made from another family and from another tribal clan. After his death the villagers chose Surjansinh and appointed him as *Jagaliya*. This shows that unlike earlier times if require the village people can make choice of choosing the TP members as they are meant to be their representative and in handling of their needs. This holds true as observed in cases of *Patil* and *Karobari* as well, where the post could be inherited by the same family or descendants but the choice of choosing the concerned person largely rests on majority people of the village. A major factor in Surjansinh's selection was also his voice. A loud voice is required to announce good and bad news to the village people that can be heard properly.

As far as time period of *Jagaliya* in Gadhvi is concerned then it depends on the village elders and people in a meeting where the consensus is taken orally. In case of death also, the next appointee is chosen either from the family or some other person but in consensus of all village people orally (like in case of Surjansinh). However, according to Surjansinh the



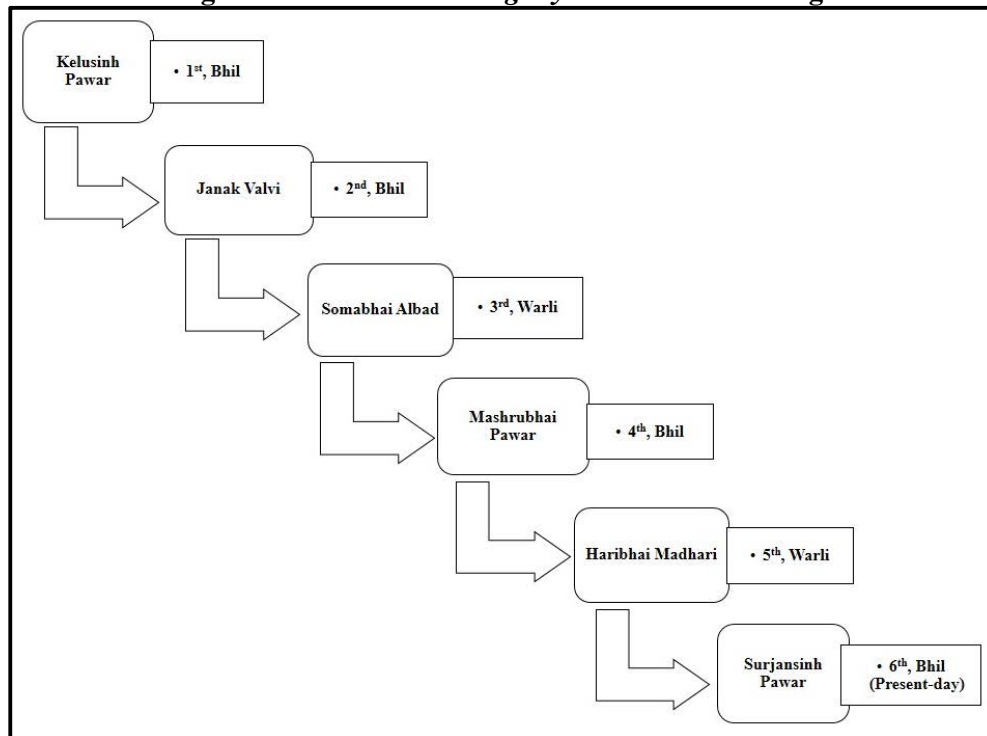
## Functioning of Tribal Political Structures

*Jagaliya* has traditionally been appointed from the Bhil community because they are experts in this job.

Talking about various tasks he performs, Surjansinh said that his job is to announce good and bad news to the village people at the earliest, including news of somebody's death or the day fixed by the TP for the celebration of a festival. He also performs his duty in the proceedings of marriage starting from announcing the date of marriage, which clothes to buy etc., to the family of both bride and groom in their respective village. He also informs the village people about the venue and the date and time for any meeting that is to be held for various purposes including settlement of cases of divorce and disputes. He also remains present on any death incident in the village for handling the process of last rites for the family. The salary of the *Jagaliya* amounts to the total contribution of Rs. 200 per household (annually) of the village. The people also give food grains like pulses or rice, sometime to *Jagaliya* seeing his worthy work in social or family events.

The village so far have seen six *Jagaliyas*, Surjansinh is the sixth one (Figure 4.4). Further, he said that all the members of the TP carry out their responsibilities in all the social and cultural occasions of the village. They work together to carry out tasks and arrive at solutions for people's welfare.

**Figure 4.4: Number of *Jagaliya*'s in Gadhvi Village**



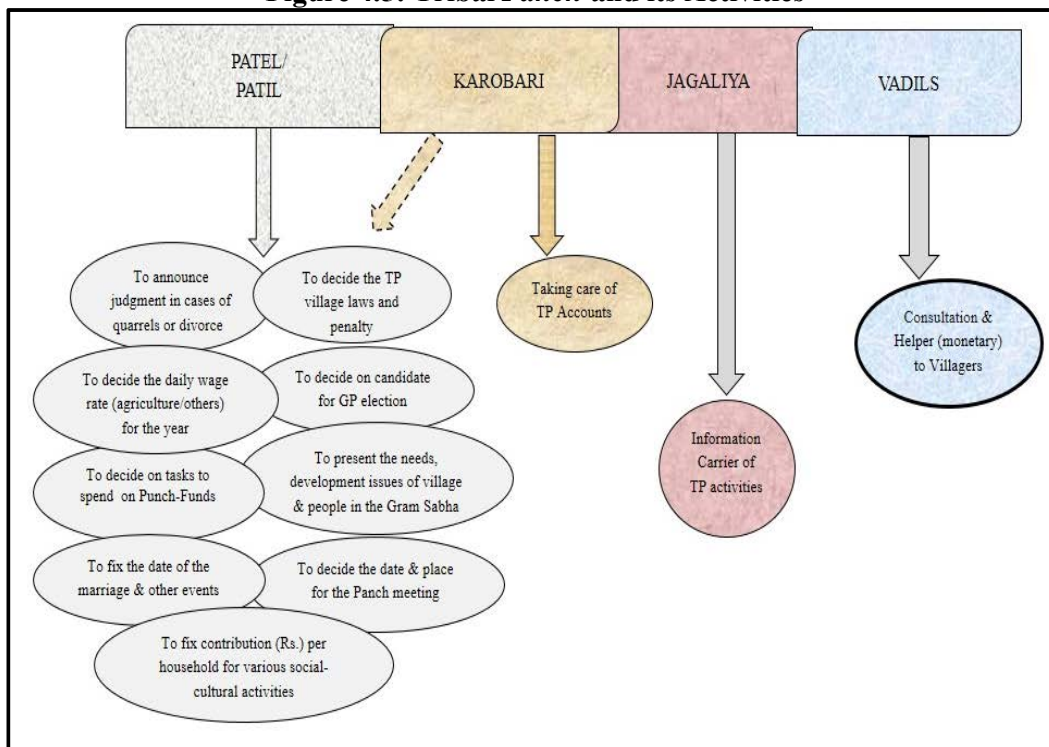
## Functioning of Tribal Political Structures

### ***Panch Vadils/Assistants***

The *Panch* assistants have the role of assisting the *Patil* and *Karobari* in their decisions. They especially belong to the economically wealthy family in terms of land, property or money. They are also the people who are respected by the villagers, educated and have better housing facilities. These members have special role i.e., of helping villagers in paying their penalties as decided by TP. For instance, if there occur a quarrel between the people of the village and suddenly a fine has to be paid, the person can pay the fine-amount by borrowing money (as debt/loan) from these two people and pay them later. Besides they also give their suggestion and consultation whenever there is need by *Patil* or *Karobari*, hence they are also the person who are knowledgeable about the law and can speak on all the questions arising in the village. In Gadhvi, these two members are (1) Shivajibhai and (2) Baburabhai.

Overall, the tasks of Tribal *Panch* can be summarized as:

**Figure 4.5: Tribal *Panch* and its Activities**



### **(II). Gram Panchayat and its Role**

The Gram Panchayat (GP) operating at the village is an administrative organization and is a village level rung of the Panchayati Raj Institution (PRI) system of India. It is the lowest yet the most fundamental level of the Panchayati Raj.

## Functioning of Tribal Political Structures

After the independence of the country in 1947, Jawaharlal Nehru gave importance to Panchayati Raj (PR) for the administration of a democratic country. In 1957, the recommendations made by the Balvantrai Mehta Committee on the Panchayati Raj system were included in it and on 2<sup>nd</sup> October 1959, the first Panchayati Raj system in India was implemented in Nagor district of Rajasthan. After Rajasthan, the implementation of Panchayati Raj was gradually started in Gujarat, Maharashtra and Andhra Pradesh. To improve and strengthen the Panchayati Raj, expert committees were also formed from time to time in the government. A recommendation report was given. The 73rd Amendment to the constitution was made in 1992 to make these Panchayat institutions more efficient and to give them constitutional recognition. The 73rd amendment of the constitution came into force on 24th April 1993 and the PRIs got constitutional status.

Panchayati Raj in Gujarat has from the beginning been an important step in the direction of decentralization. After the establishment of Gujarat State in 1960, Panchayati Raj was implemented on a government basis. A committee of 15 members was formed in 1960 under the chairmanship of the then Home Minister Rasiklal Parikh to establish Panchayati Raj in Gujarat. On April, 01, 1963 Panchayati Raj was implemented in Gujarat which is included under the Gujarat Panchayat Act 1993<sup>viii</sup>. In Gujarat PR is also known as '*sthanik swaraj*' which comes from Sanskrit word '*sthan*' i.e., place or location and '*swaraj*' means self-rule. In other words, self-rule either in village or city made up by the locals through local representatives. Dissecting the terminology as Panch + Ayat+ Raj leads to its meaning as:

- ⇒ *Panch* means five
- ⇒ *Ayat* means residential cluster or assembly
- ⇒ *Raj* means administration or governance

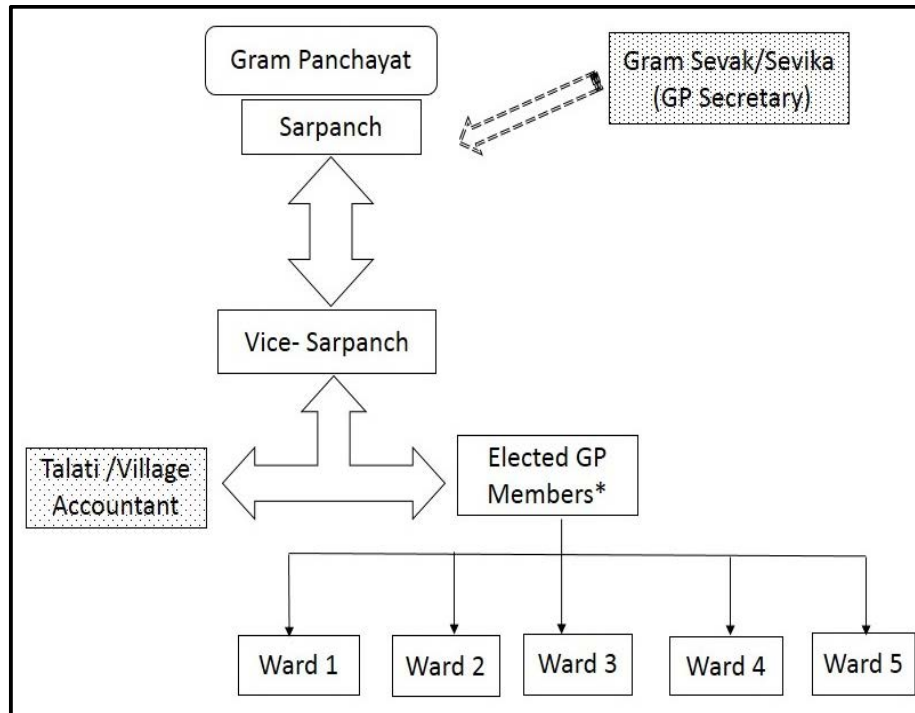
According to the provision of Gujarat Panchayat Act 1993 Section 9 (4) for villages with population of 3000 or less people the number of members of the Gram Panchayat must be 07 and for every 2000 more people 02 members must be added. For villages with 3000 or more population for every 1000 more people 02 members must be added. The 33 percent seats in the Gram Panchayat are reserved for women. Persons whose names are in the voter's list are eligible to vote. People of respective wards elect the Panchayat members of the village. All the people of the village vote for the Sarpanch and the elected members elect the Deputy or Vice Sarpanch.


The Sarpanch is considered the village chief and is the elected leader of the Gram Panchayat so as the Vice-Sarpanch and other members of the Gram Panchayat. These members

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are elected for a tenure of five years. Besides, there is also a government employee i.e., *talati-cum-mantri* who looks after the entire administration of the Gram Panchayat which includes maintaining books of accounts and revenue, tax collection, issuing caste certificates, keeping records of all the works undertaken by the Gram Panchayat, etc. There is no uniformity among different GPs across India, however mostly the prosperous person was made its *sarpanch* or leader. The organizational chart of GP can be summarized as:

**Figure 4.6: Organizational Chart of Gram Panchayat**



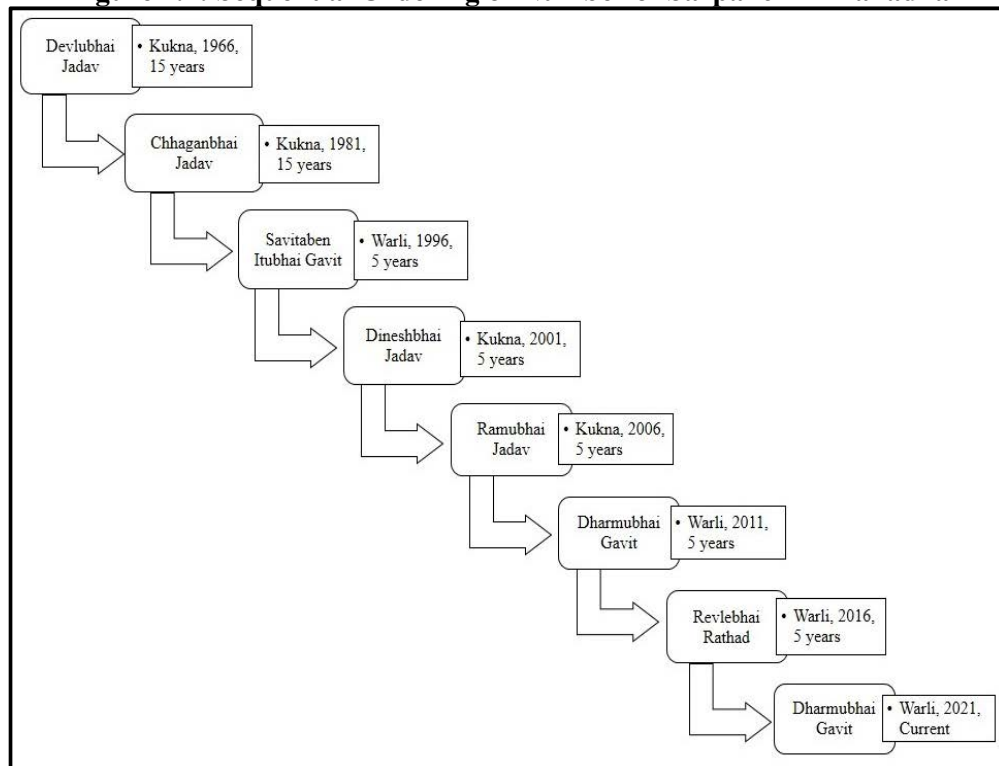
Notes:  = Appointed by Government; \*GP Members should be at least five and maximum 30 members with each representing specific area (lanes/number of households) and its voters (constituency)

With respect to Gram Panchayat, Gram Sabha is an important facet, because it is at this Sabha where the needs and requirements of the village or its people are discussed which in turn becomes proposal and a visible reality, if passed. In general Gram Sabha meetings convened after prior intimation. The village people, *mamlatdar* (District revenue officer), Sarpanch, etc., remain present for the meeting. Twice every year any adult member of the village can participate in the meeting. Such an individual is considered a Gram Sabha member and enjoys the right of attending the meeting, exercising his vote and making a proposal. The Gram Sabha is for the whole village where discussions regarding water, roads and other facilities take place. The members of the Gram Panchayat can also voice the complaints of their respective village lanes. These complaints are looked into and resolved.

## Functioning of Tribal Political Structures

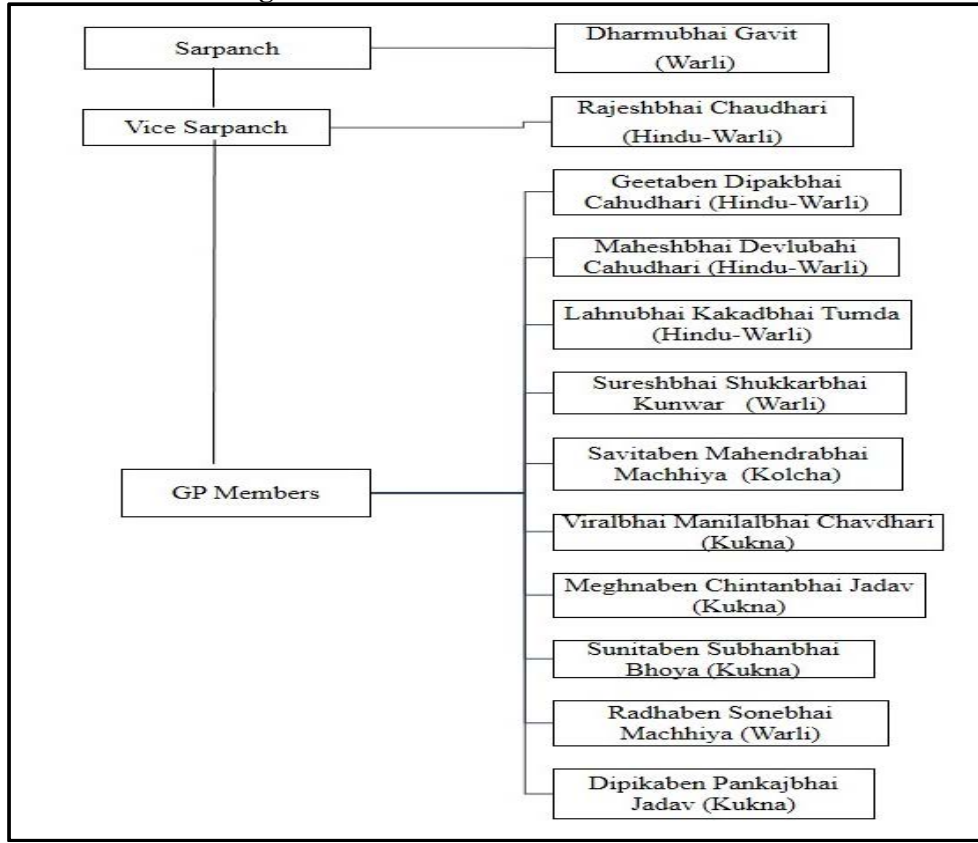
According to Lahnumbai (GP member) of Kanadha village, the GP was established from the year 1975, and the Devlumbhai Jadav was the first unopposed Sarpanch and elected twice and remained Sarpanch for 15 years. The post of Sarpanch mostly held by Kunbi/Kukna group followed by Warli with first two Sarpanch holding the post for 15 years continuously. But later every Sarpanch not continued the second term but five years. Over these 50-60 years, only once the village had the woman Sarpanch. Figure 4.7 gives the hierarchal order of all the Sarpanch of the village:

**Figure 4.7: Sequential Ordering of Number of Sarpanch in Kanadha**



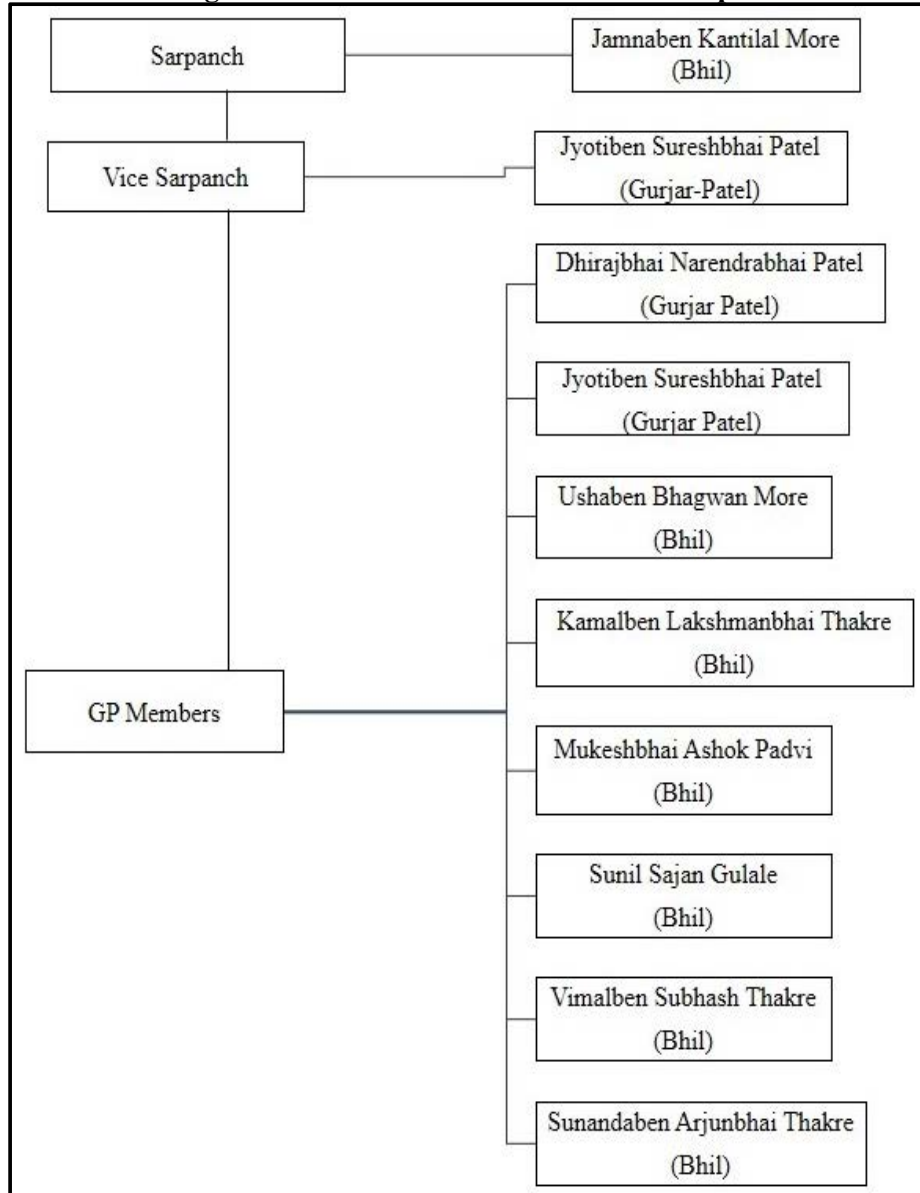
Presently other than Sarpanch and Vice-Sarpanch the GP of Kanadha has total 10 GP ward-wise members and include:

**Figure 4.8: The GP Members of Kanadha**



The Gram Panchayat of Mubarakpur consists of the Sarpanch and 08 members who are newly elected (Figure 4.9). Jannaben Kantilal More is the Sarpanch of the village for six months now and is a tribal women. Jyotiben Sureshbhai Patel is the vice-Sarpanch, who comes from Gurjar caste. The list of the members and Sarpanch of the Gram Panchayat of the last 15 to 20 years indicated that a new Sarpanch is elected every five years. The present elected GP members of Mubarakpur village are:

**Figure 4.9: The GP Members of Mubarakpur**



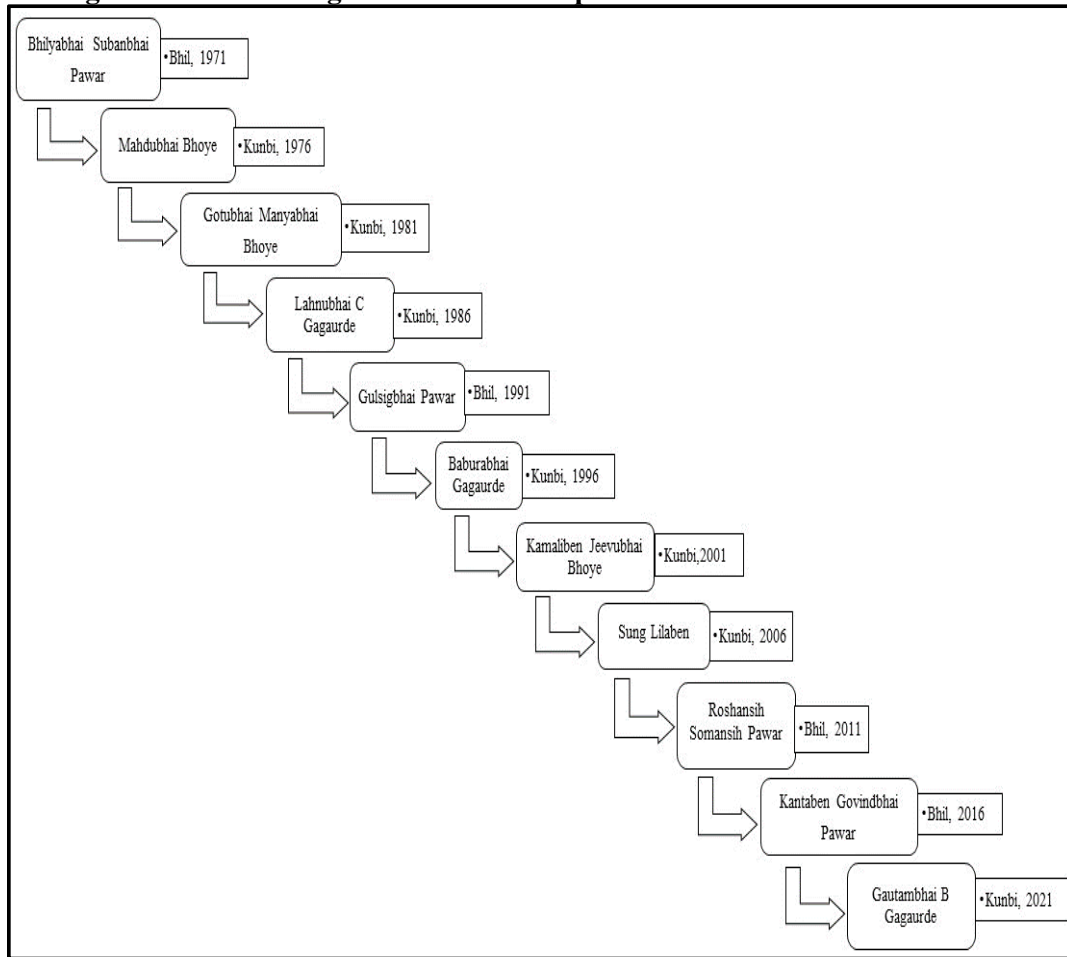
**Image 4.4: Sarpanch, Jamnaben (Standing Extreme Left), and Other Women along with Research Team Member, Mubarakpur**



The Gram Panchayat of Gadhvi was established by the King of the village on 01/04/1963. It is reported that in Gadhvi, the village people give every candidate the opportunity to become Sarpanch. Therefore, no Sarpanch has ever held charge for more than five years (Figure 4.10). Among them twice women had held the position in 2001 and 2006. Sarpanch have been always from Kunbi tribe because of their economic status and higher level of education as compared to another tribal groups living in village. Over the years only three Sarpanch's have been from the Bhil clan.

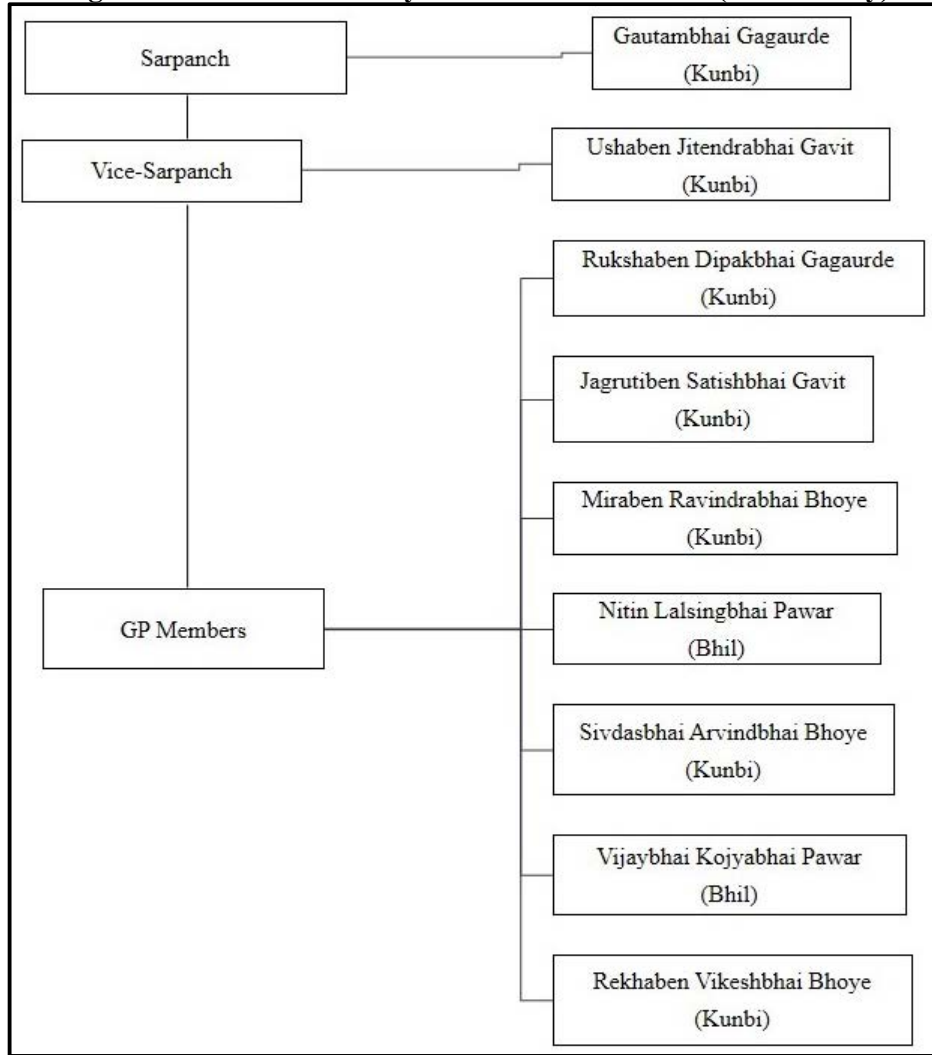


**Figure 4.10: Ordering of Number of Sarpanch from 1971 to 2021 in Gadhvi**



As per Panchayat functioning the villages with less population, come under group-gram panchayat which is formed by including four-five villages. Since Gadvi village is big and the population is large, there is a one gram panchayat of the village. At present there are total nine members in Gadhvi Gram Panchayat including Sarpanch, Vice-Sarpanch and GP members (Figure 4.11). There are total eight wards in the village, the members elected from each ward are working in their own wards. The present day elected GP members are:

**Figure 4.11: Gram Panchayat Members of Gadhvi (Present-day)**



In principle the Gram Panchayat is responsible for resolving problems and carrying out developmental works at the village level through the elected members. Gram Sabha meetings among the Sarpanch and other GP members, Talati-cum-mantri (village accountant), *Gram Sevak* are held at least twice in a year. After discussions the decisions are made for the developmental works carried out in the village. It is GPs responsibility to implement various government schemes to the benefit of the village people, such as housing schemes, employment schemes, social welfare schemes (education, food security) and infrastructural schemes.

**Image 4.5(A): Labourers (from Village) Constructing Pave-block Road, Mubarakpur**



**Image 4.5(B): Labourers (from Village) Constructing Pave-block Road, Mubarakpur**



A meeting with Jermansinh Jalyabhai More (78 years) of Mubarakpur highlighted his contribution to the village. He said that he was the vice-Sarpanch of the village when the first Adivasi Chief Minister of Gujarat, Shri Amarsinh Chaudhary visited the Mubarakpur in 1986. Born in 1944, he is the first educated Adivasi of the village. He worked for eight years in all for the village as Vice-Sarpanch for three years and as a member of Taluka Panchayat for five years. He won both the posts as a candidate of the Congress party with a majority votes, as village people supported him owing to his good work. Whenever there was a complaint, he would write to then CM Amarsinh Chaudhary and also go to meet him personally. For instance,

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once the village suffered from shortage of water supply for irrigation despite enough stock of water. It was his efforts that the village benefitted from the state government's 'Drip Irrigation Plant Scheme'. For the inauguration ceremony Govindbhai Barkyabhai Gamit, ex-Congress MLA of Uchhal Taluka was invited. Jermansinh More has given priority to Adivasis while carrying out tasks/his duties. Currently he is staying in built-in house with in the four walls of the Bhatiji Maharaj and Bhagwan Shiv Shankar Mahakal temple. This residence was provided to him by villagers due to his status and work for the village. He is now considered as '*Vadil*' and is at the helm whenever the village *Panch* (TP or GP) assembles and his word is respected.

Shri Shripatbhai Sajanbhai Patel, commonly known as Maganbhai Sajanbhai in Mubarakpur is 88 years old and was another ex-sarpanch of the village. He has studied up to class 8 which in his time was considered a high qualification. Being the main person/village elder and economically well off, he was entrusted with the responsibility of managing the village affairs and was elected as Sarpanch with majority votes in 1982. In his tenure Bajirao Patil was the Police *Patil* (of TP) while Jermansinh Bhai More, the sole educated individual of the village was the Vice-Sarpanch.

**Image 4 6: Research Team Member with Shripatbhai, Ex-Sarpanch, Mubarakpur**



The Mubarakpur Gram Panchayat was established on 22/02/1990 and its office was inducted by auspicious hand of Habib Bandhi (IAS) Officer, District Development Officer and District Panchayat Officer. For establishment of office IG Parmar (Taluka Development

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Officer Nizar) was present at the *Bhumi Pujan* and setting up of the Gram Panchayat office as a guide for the people of the village. The functioning of Gram Panchayat commenced on 21/04/1990. It was inaugurated by the Hon. Minister Kanjibhai Patel, then Minister of the Panchayat Department and State Minister for Tribal Welfare. At that time Shri Narendrabhai Gopalbhai Patel was the Sarpanch and Virsinghbhai Lakshmanbhai Padvi was the vice-Sarpanch. Former was from the Gurjar Patel community and latter was from the Adivasi community.

While talking about role of GP in Mubarakpur it was reported that there are street lights on every street, the streets are paved with paver blocks as a result of effective implementation of infrastructure schemes. As one of the GP members stated, ‘...the village is developing well as a result of the full support and goodwill of the Gram Panchayat and village people to the Sarpanch.’

While detailing about the responsibilities and work of Gram Panchayat in Gadhavi, one of the GP members stated that the Sarpanch organizes the Panchayat meetings, supervises and monitors the work of the officials and employees of the Panchayat. The GP members are responsible for their respective wards. The village people report their complaints, applications for issuing government cards or certificates like Aadhar card, EPIC card, income certificate, proper documents and assistance to farmers for agricultural facilities etc., to the elected member of their ward who in turn goes and informs the Sarpanch followed by appropriate action. The Sarpanch has the powers to withdraw money of the Panchayati funds and use them for developmental works in village. The GP has to maintain the registers and prepare reports including the discussions and resolution taken at the Gram Sabha Meeting and are to be sent to the Taluka Panchayat for initiation of the proposed work.

According to Rameshbhai (45 years, TP member) of Kanadha village the responsibility of the members of the GP involves looking after the needs of their respective village lanes like water, roads, hand pump, etc. They make a representation in the Gram Sabha and pass a resolution after which the work is implemented in the village. If the roads are to be repaired or if there is any other problem, he himself takes interest and gets it done. He also remains present for marriages in the villages and also fixes marriages in consultation with the *Karobari*. A meeting with *Talati* of Kanadha revealed that, GP had able to deliver its roles in terms that many families are beneficiaries of government schemes. Those who were homeless were given houses under Indira Awas Yojna and Sardar Patel Awas Yojna (2012-13). More benefitted from latter than the former as almost 70 percent of the people have benefitted from the scheme. About 30 percent are yet to be benefitted among whom 10 percent are from marginalized group.

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There are 53 beneficiaries of the Destitute Old Age Pension Scheme, fifty beneficiaries of Widow Aid Scheme and seven beneficiaries of the Differently-abled Aid Scheme. Besides there were also beneficiaries of Aam Admi Insurance Scheme (21), Community Pension Scheme (48), National Health Insurance Scheme (269) and Ujwala Scheme (867).

### **(III). Village Affairs and the Tribal Panch (TP) and Gram Panchayat (GP)**

As stated earlier, the TP has a greater role in the social occasions of people in the village. It also presides over cases of divorce, fights, disputes over land and other things. It has a central role in marriages. In case of marriages of minors, the TP does permit their union, but confirms their marriage until they are 18 years of age. Whereas the GP's main role is centered on implementing the central/state government schemes for people and village at large.

In Mubarakpur, the Tribal *Panch* was observed to be very important and was instrumental in resolving various problems of the village and its people be the conflicts or quarrels on various occasions. Since it is for the people, hence it was perceived that they remain accountable to them. But for last 2-3 years, few *Panch* members have been relieved. It was reported that owing to social reasons and siphoning of funds, though of a small amount that resulted in shortage of funds, village people held a *Panch* meeting and asked for the accounts. The *Karobari* and the *Patil* did not agree to show the accounts, so the people dissolved the TP *Panch* and handed over its responsibility to the Sachinbhai Bhagwanbhai More, aged 41 years. He has been in charge and performing its traditional duties for three years now. He is assisted by the *Jagaliya* of the village, Makubhai Shidyabhai Naik. Sachinbhai is not a wealthy person. He works as a mason but is an educated and sensible person who is respected by the village people and is endearing to the young generation. He is handling his responsibility efficiently. For any occasion in the village, be it cultural, wedding, medical i.e., related to hospital, Sachinbhai is the first to be approached. Leaving aside his personal work, no matter how important it might be, he is the first to be present at the spot. Therefore, he receives immense support from all village people. Besides he is instrumental in getting all facilities and schemes implemented in the village through the Gram Panchayat. Reportedly whenever any issues (like conflicts, fights, problems related to roads, water electricity, favoritism) come to him he convenes the meeting to resolve the complaints. Besides Sachinbhai, Jermansingbhai and his friend Lakshmanbhai (both ex-Sarpanch) also preside over. Sachinbhai consults the people and village elders who attend the meeting for resolution. But he makes the final decision. The village people abide by his decision and support it.

**Image 4.7: Ex-TP Member (in White), Sachinbhai (second from right) with Investigators, Mubarakpur**



It was informed that there were cordial relations among all the people in the Kanadha village when there was active TP. The fights between the villagers were very less, people lived in harmony with each other and the festivals related to the village were also celebrated together at one place. Moreover, it was due to TP that no police case has been registered to resolve the conflicts. But now a days conflicts have increased and every festival in Kanadha village is according to plan and gets celebrated in their own way. It seems that brotherhood among people has decreased because now people know each other according to their respective *faliya* or residential lanes. There are 14 lanes in village and the leaders of each one is also different, so if any problem arises in the village, the elected members of each ward and the leaders of the lanes meet and solve it. Since no full-fledged TP is there in the village for more than 20 years the work related to the celebration of festivals and *puja-path* is done by the *Bhagat* Maganbhai of the village. He said that earlier also he performed that same work in village festivals, and he used to get good gifts (kind or cash) from *Patil* and *Karobari*, but now he receives nothing from the villagers or the sarpanch. However, he get the support of two people who had taken up the social-cultural roles of TP interms of various requirements and arrangements for such occasions.

Gautambhai, the Sarpanch of Gadhvi said that he is educated and holds B.Ed., M.Ed, therefore the people of the village and TP members elected him as the Sarpanch to manage the entire panchayat and take care of the development of the village. He informed that he is fulfilling his duties and responsibilities well. He along with GP-members of the ward meet the village leaders and TP and discuss the planning for the development of the village. During the Gram Sabha he discusses about them and decide the agenda to be implemented accordingly.

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In Gadhvi it was shared that the TP had performed its function well that no case has ever registered in the police station about any kind of conflicts that occurred among the people. This holds true mostly for the Dang District itself therefore, the villages are 'caseless' villages. The *Patil* and the *Karobari* have a much greater role than the Sarpanch in such cases as people first approach them for settlement of their disputes. For instance, *Patil* Shivalbhai reported that in divorce cases, the party approaches the TP directly rather than taking legal route first. In such cases the defaulter party is made to pay Rs. 5051/- as penalty to the aggrieved party. Besides if the boy's side is at fault, they have to pay the amount to the girl's side which they had spent on the marriage. Likewise, TP settles all kinds of social conflicts of people that are reported to them. They do not allow the disputes to be reported in the police station except in cases where an individual directly reported it without consulting the TP. The registering police case by TP happens only in incidents of murder or rape, but these incidents are rarest cases occurring in the village. In last two-three decades only one case of murder has been reported in the village.

Talking about the interaction of GP and TP in Gadhvi, Shivrambhai (*Karobari*) said he has good relations with the members of the Gram Panchayat. Hence, the members of the GP and TP work together for the people. They perform their duty without any bias and in a just manner in settling of disputes and facilitating individual and common infrastructural facilities in the village like road, electricity, housing and water facilities. The GP has been instrumental in having houses allotted to people under the Indira Awas and Sardar Awas schemes. It has also supported farmers to get concrete embankments, farm ponds, levelled ground and wells. He said that the GP works towards raising the living standard of the people. He further states that when the GP convenes the Gram Sabha, the TP remains present. The opinion of the TP is sought by the GP when it comes to developmental works to be carried out in the village. The villagers report their complaints regarding roads, electricity or water to the TP. The TP makes the representation in the general meeting. The GP then takes up these works and also gives an account of the works they have completed.

Unlike Shivrambhai, Shivalbhai, (*Patil*) showed his disappointment towards GP by raising a concern that the water supply in the Gadhvi is not adequate. In the months of April and May even cattle find it difficult to survive. The check dam in the village dries up in these months. Water for drinking is available but water for household purposes is not available. A mini pipeline is installed but it is not functional. The BPL cards meant for poor families have been issued but not to all needy families. Now a days issuing of BPL card follows scoring based on certain criteria by the government and those who scores in between 0 to 20 are eligible



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for BPL card and those above 20 are excluded. As a result, despite a family really required help doesn't get covered and remain outside from availing government benefits. Such practice sometimes also involved favoritism and manipulations by the concerned person, to which TP members have little control. The outcome is that people migrate to other districts in search of labour and therefore due to migration 60 people stay away from home for seven to eight months. Shivalbhai (Patil) suggested that the government should provide help for animal husbandry in larger scale in the rural areas so that people do not have to migrate and their economic condition could also improve. Baburaobhai K. Gangurde, the ex-Sarpanch and a member of the taluka and district panchayat informed that when he was in charge, he had sent an application to Ashok Bhatt (official authority at his time) in 2007 for construction of a secondary school and P.H.C. for the village and with his efforts they had finally built in the village.

There is a forest committee in Gadhvi from the beginning. Currently its members are Gulsingbhai Ullasbhai Pawar (Chairman) and Baburao K. Gangurde (Secretary). Gulsingbhai has held the post of Chairman for the past 12 years and Baburao has been in charge for the last 15 years. Besides them, there are total 25 members in the committee comprising 10 female and 13 male members. The funds are received by the committee from Government and after discussions the committee decides how and where to spend it. Generally, it gets distributed among villagers in terms of the requirement. Like the money is spent on purchasing cement, tin sheets or utensils to distribute among the households. The *Patil* and *Karobari* remain present for the meeting of the Committee and their views are also sought regarding the spending of Committee funds.

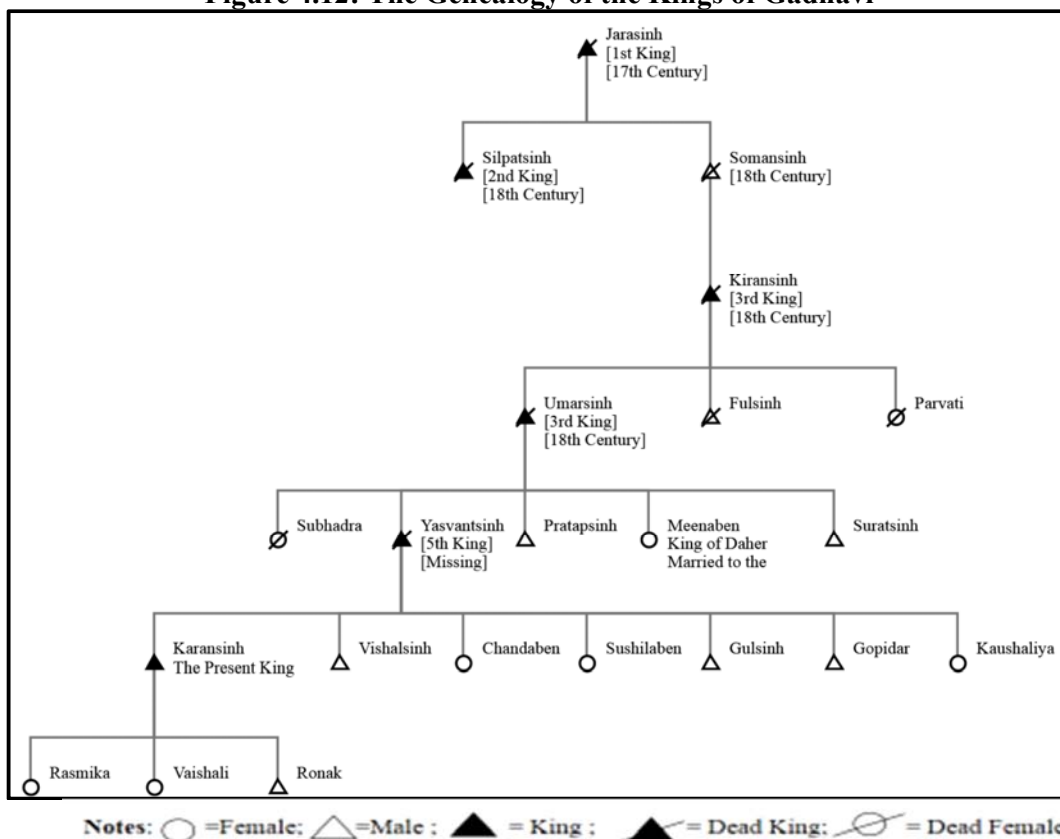
As far as role of King in the lives of people of Gadhvi in present time is concerned then according to, Baburao K. Gangurde (forest committee secretary), *Karobari* Shivrambhai and Dipakbhai Gangurde, the present Kings (in whole Dang region) do not hold command the way they did in the past. They have no role in social matters as such though they get invitations. It was said that Gadavi village was ruled by Silpatsinh, one of the five kings of Dang district. Earlier the Kings were informed before any work was undertaken, be it marriage or celebration of festivals if he gave his permission, then the work was completed. Gadavi village was dominated by Kings from the 17<sup>th</sup> century to the 20<sup>th</sup> century. But later on, due to the Kings and their soldiers' behaviour their control over its people reduced<sup>ix</sup>. They also informed that the descendants of Silpatsinh still live in the village. Currently Karansinh Pawar is called as King for the namesake without any kind of control like of earlier times. They also specified that now the Kings (whole dang) are neither of help to the people nor do they fight for the

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people. Rather they fight for their own pension which Gujarat government gives them annually every year at Bharat Dang Darbar at Ahwa during Holi. People consider Karansinh as the king of one day only, the rest of the time he earns his livelihood as a common man by farming. Moreover, the minimal role and dominance of King is also because the Karansinh Pawar has little interaction with the people of the village and does not even participate in the events of the village, however he holds his significance during elections.

Dang Kings receiving government pension till now has its history. The Dang district is a heavily forested area and its forests are full of teak trees. The British were after the teakwood but the Kings of Dang would not let them have the wood. So, the Britishers offered a money for their land. The Kings had no money so accepted the offer. The British government took their land on 99 years lease on the condition that the ones lease end they cannot ask for its right and it would have to be renewed with British government being in charge of the entire forest land. After Independence the Indian government took over the lease and Gujarat government pays them pension of Rs. 10,000/- per year for the forest land that comes under them. The government use this forest land for various activities and the money they get, twenty percent of it goes to the forest committee/societies (of Dangs) and eighty percent goes to the government account. King's descendant's Somarsinh Pratapsinh Pawar and Suratsinh Umarsinh informed that now government started imposing rights on land. Though King gets pension but it gets distributed among family and they are left with about Rs. 3000/4000, which is not sufficient for sustenance. Although they own more land but agriculture is possible only during the monsoon. The other income source of their family members is through driving jeeps (for transport) and also earning through ownership of teak trees in the forests. Notably during elections (at village or taluka level), many family members of King contest elections for various posts hence get busy with election work. For the welfare of the village '*Sevasetu*' programme is organized twice a year in Gadhvi where King is invited. This is the programme where works like issuing income certificates, caste certificates, old age pension, addition/omission of names in ration cards, issuing voter's card, etc., are undertaken. However, many people cannot get their work done in the event due to lack of adequate proofs.

Figure 4.12: The Genealogy of the Kings of Gadhvi



Somansinh also informs that at present the government is exploiting the Kings. The Kings are making efforts for the development of Dang. According to the 73<sup>rd</sup> amendment outsiders cannot buy land in Dang. But his suggestion is that this provision should be done away with so that outsiders can buy land in Gadhvi village and set up companies here so that employment could be created and the village people would not have to migrate in search of livelihood. This would greatly help to improve the living standards of the village people. This suggestion of him could rather impact the villagers and forest areas differently as it could lead to entry of private investments implying much more harm and exploitations of the people and nature.

In Gadhvi, to know more about people's opinion about the TP, while talking to common villagers, it was noted that they had good things to say about *Patil* Shivalbhai. For them he fulfills his responsibility well in all the auspicious and inauspicious events of the village. But when we asked about the same from other group of people, we found some resentment among them related to TP. It was so because they belonged to Bhil community and had suffered social distancing from the other tribal community i.e., Kunbi residing in the village. It is to be noted

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here that though the King belonged to the Bhil tribe the tribal clans of Kuknas/Kunbis, Warlis, Gamits/Gavits and Kathodiyas did not keep friendly relations with the Bhils. We learned that previously the *Patil* and *Karobari* (who belonged to Kunbi tribal clan) would not allow Bhils to step on the raised platform (entry space) of their houses or drink water offered to them by the Bhils. The Kunbis considered them inferior because they ate fish and meat. Bhils have had to suffer severe discrimination from them as they occupy important post in TP. Mentioning name of few persons, they said that they were not given proper justice in land disputes or any other conflicts rather suffered harassment and exploitation at the hands of them. It was also reported that the *Patil* and *Karobari* did not used to attend functions of marriage and deaths of the Bhils, which happens to be one of their expected roles. However, over the years the situation has changed but not completely. They attend their ceremonies but distance is maintained such as they do not drink water or have meals at the houses of Bhils. Moreover, if there are conflicts between Kunbis and Bhils, when they contest for elections, the Kunbi leader do not support Bhil contest. It was also reported that in case of conflict between the *Patil* and *Karobari* the TP sides with Kunbis if they are from different group, but if belongs to same group then the supports sway towards wealthy party. It was said that now a days a lot of changes have taken place in Gadhvi, TP are not paying attention to the villages and the GP is gaining ground. Sometimes they take care of people and sometimes they don't heed to their requests.

### **Concluding Remarks**

The dual governing systems of tribal villages has its specific roles and functions. The tribal culture has its own peculiarity, which pervades every aspect of their life. The TP as a governing system has a socio-political structure governing the social-cultural life of tribals. They have their customary codes or social codes which are sine-qua-non for solidarity, prosperity and growth for the community as well as individuals. Through Tribal councils the harmony of people as well as the administration of the village was maintained. The formation of TP, though was formed by the majority of the natives of the village, but it represents the feature of dynastic rule. The major functionaries – Patil, Karobari and Jagaliya acquire the post hereditary and remain for many years, unless they die or due to health issues or in case of deceit they get replaced. Furthermore, except Jagaliya, the selection of post in TP also involves the economic positioning of person and family, besides the specific tribal group residing together. For instance, across villages the Kunbi's/Kukna's remain at the top position as they are economically wealthy despite them being not numerically strong. In Gadhvi, though King

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belong to Bhil tribal group, but the Patil and Karobari always comes from other tribal groups; though Jagaliya, more of a laborious work happens to be from Bhil.

GP as constitutional decentralized governance, had seen to be performing its clear-cut role of delivering developmental activities in the village like facilities for primary education, health, drinking water, electricity, construction and maintenance of roads, and managing *gauchers* and village commons, organizing relief work at the time of scarcity and draught situation and social welfare through the democratic functionaries of selected Sarpanch's and ward members. Unlike TP the GP members has its formal selection process and its member's tenure is fixed for five years but the feature of familial representation and economic power plays crucial role. Moreover, wheeling of individual (especially *Patil* and *Karobari* or a family) as members of TP to GP also seems true.

While understanding the dual governance system, it is also true to mention that at present time though TP is present in the villages at different degrees, its importance has declined as compared to its earlier brilliance due to inroad of statutory Panchayats. In the presence of TP the culture of the society and harmony among the people had though survived but TP has been reduced only to the works related to social and religious matters in the village. After the advent of Panchayati Raj, the work of the members of the TP (especially related to natural resources and village physical needs) has started to shift and done by the members of the GP and the Sarpanch, and let going the importance of TP members as observed more in Kanadha and Mubarakpur. Though former TP members, especially *Patils* and *Karobari*'s still holds their individual importance in village both for the people and for GP.

### Notes

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<sup>i</sup> The statistics is as per the World Bank staff estimates based on the United Nations Population Division's World Urbanisation Prospects: 2018 Revision (Economic Survey 2022-2023)

<sup>ii</sup> Vision document of the Ministry of Rural Development, Department of Rural Development, November 2019. (Economic Survey 2022-2023)

<sup>iii</sup> The famous Mayo's resolution of 1870 gave impetus to the development of local institutions by enlarging their powers and responsibilities. The year 1870, introduced the concept of elected representatives, in urban municipalities. The revolt of 1857 had put the imperial finances under considerable strain and it was found necessary to finance local service out of local taxation. Therefore, it was out of fiscal compulsion that Lord Mayo's resolution on decentralization came to be adopted. The British government introduced the Indian Village Panchayats Act in 1883.

<sup>iv</sup> Local self-government institutions received a boost with the appointment of the Royal Commission on centralization in 1907 under the Chairmanship of C.E.H. Hob house. The commission recognized the importance of panchayats at the village level. It is in this backdrop that the Montagu Chelmsford reforms of 1919 transferred the subject of local government to the domain of the provinces. The reform also recommended that as far as possible there should be a complete control in local bodies and complete possible independence for them from external control. These panchayats covered only a limited number of villages with limited functions and due to organizational and monetary constraints they did not become democratic and vibrant institutions of local self-government at the village level.

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<sup>v</sup> For instance, along with constitutional Gram Panchayat, a village could also have a political leadership of community or *Jati panch*. Such a *panch* consists of persons from a specific community which resides in a particular geographical region. These persons are invested with power over the members of their community. Those who flout the rules of the community *panchayat* are given specific punishment such as fines, social boycott or corporal punishment. The aim of the community *panch* was to control the people of their community. The traditional community *panch* consists of a President and members. This form of system is seen more in northern parts of India where villages are caste based.

<sup>vi</sup> They are also known as *Patel* or *Police Patel/Patil*.

<sup>vii</sup> Their selection could loosely be related to fiefdom where system of internal social relations was based on land rights. Persons having large land holdings were deemed landlords by the people and were therefore, given an upper hand in society. This type of leadership and power are hereditary as observed in the selection of *Patel/Police Patel* or *Karobari*.

<sup>viii</sup> This is same as the 73rd amendment in the Constitution of the Panchayati Raj Act.

<sup>ix</sup> According to Mangubhai Avsubhai Gavit (former Policeman) and *Karobari* Shivrambhai, at that time, their soldiers harassed the people of the village, threatening and oppressing them. They would take grain, chickens, goats, from any family by threatening and making them work in their fields without money and sometimes smear the walls of their house with mud. Moreover, some kings had fallen prey to addictions and were neglecting their royal duties. They were fond of alcohol and chicken and meat. Hence their soldiers would take away the cow or buffalo of villagers whenever they want. The kings were illiterate hence didn't know how to run the kingdom properly. Among the five Kings of Dang, King Umarsing was good natured but his soldiers were drunkards and used to harass the people. Another King Umarsinh would move in and out of the village in hiding and the people never saw him. He gave land to the people for tilling. King Pratapsinh knew a bit of English. King Yashwantsinh had disappeared suddenly. Neither his corpse nor clothes were found. The search for him went on for five years. The Collector had announced a reward for anybody who found him. Finally, when there was no trace of him after five years, he was declared dead and the son of his first wife Karansinh aged 17 years was coronated as king,

## Chapter 5

### **Traditional and New Governing Institutions in Tribal Villages: Consensus and Contentions**

In tribal areas, Tribal *Panch* (TP) was and still is a traditional form of governance. Like other communities before independence, the TP was the whole and sole system of governance barring during the British rule when their administrative system crossed paths with TP. After the introduction of Gram Panchayat (GP), it worked with village panchayat for the welfare of villagers. However, with the constitutional decentralization through GP, TP lost some of its significance as one witnesses clear demarcation of both these governance bodies functioning at the village unit. The provisions of the Panchayats (Extension to the Scheduled Areas) Act (PESA) came into existence in 1996 and was enacted primarily to protect the rights of the tribal population living in Fifth Scheduled areas as mentioned in the Indian Constitution. This has not made things easier but created some amount of chaos and Governments across India have not been sensitive and true to the letter and practice of the Constitutional provision.

Moreover, the entry of political parties into GP elections has made democracy more alive but also polluted with manipulation, corruption, and sometimes violence. It has changed the political equation in the village, tribal class, and caste positioning and power alliance. Party politics has affected TP, its functioning, and its interests. Observation and interaction with the GP, TP members, and local inhabitants in the studied villages indicated that there has been some kind of friction among their roles and responsibilities; and it surfaces become most apparent at the time of GP elections and at the time of decision-making and implementing welfare schemes in the village. In the matter of socio-cultural events and occasions in the village there is a certain amount of mutual commitment between TP and GP, where the TP has an upper hand and the agenda normally is controlled by the TP with hardly any interference from the latter.

#### **Consensus Interaction between Gram Panchayat and Tribal Panch**

In Kanadha village, a tribal panch does not exist at present, so each lane has its elders or leaders along with elected ward members. Any issues occurring in respective lanes or in the village are resolved by these leaders/members. Sarpanch also plays an important role in handling issues as people held meeting with him. For instance, for the problem of road facility or water facility in lanes, the people ask the leader of an elected member from their ward who in turn informs

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the sarpanch. In this way, the members of the Gram Panchayat and the sarpanch do all the work with the help of the leaders of the ward and oversee any problem that arises in the village. It means in the lack of an active 5-team TP in the village, their roles get transferred to the Sarpanch, known as the head of the village who now governs their social as well as political problems. Though two people perform some functions of TP, but their onuses get assimilated with Sarpanch's roles.

The existence of the TP still holds its power in Gadhvi unlike other studied villages or many villages in the Dang district itself where GP came to rule. Few powers of TP may have been weakened as a result of the new governing structure of GP, yet TP governs the people's lives in the spheres of social, family, and religious festivals, marriage-death events, and social problems like divorce, land disputes, and fights. In a group discussion and personal interaction with the people and members of two governing bodies in Gadhvi, it was learned that overall, there is good harmony between the members of the TP and the members of the GP. The GP members do not interfere in the functioning of the TP in this matter and their resolution of problems. At the same time, Sarpanch remains as observant in the functioning of TP activities. The village people and the GP members entrusts decision-making responsibility to the TP. Likewise, TP does not interfere in the work of GP involving the work related to the development of the village such as roads, water, electricity, communicating and implementing the schemes of the government (e.g., pension, ration cards, issuing of Aadhar, election cards). They make suggestions but do not force them to do the work. The members of the village are specially invited. Not just that but their opinions are also taken regarding the needs of the village. Thus, it can be said that the members of TP and GP have divided the work according to their respective responsibilities in the village, so they do not interfere with each other's work as far as possible. Also, people use both forms of governance as they are aware of their specific roles for their welfare. For instance, now people go to TP for questions arising in social and religious matters such as marriages, deaths, village festivals, and *puja-paths*. If the issues are related to village development work, people go to the village panchayat members or Sarpanch. However, for getting the work done by GP, the routing their work through TP is very well reported which sometimes get solved and sometimes unsettled.

### **Contention between Dual Governing Systems**

The contention between the dual governing systems is visible during the GP election especially when the candidates standing for various posts have no unanimous support of the people.



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The Sarpanch is elected by the people of the village based on the person who gets the majority of votes becomes the Sarpanch. The entire process is difficult and full of struggle. Firstly, the person who wishes to contest the election for the post of Sarpanch must establish contacts with the village people because the support of the village people is of utmost importance. The village voting depends upon the GP and the TP and normally between these two, the village people go by the decision of the TP because the problems of the village people are resolved by the TP.

It is found that during elections in the village, the focus of the politicians and members is on the TP because a large percentage of the voting is influenced by the TP. The members of the GP go to meet the TP because they are aware that the village people give more importance to the *Patil* and the *Karobari* and follow their advice. They respect the decision of the *Panch* and do as per what the *Panch* says. If the villagers do as others say instead of TP, then they will not get support from TP on occasions such as weddings or funerals or for any of their work. Sometimes the TP himself decides whom to select for the post of village Sarpanch. The village people offer their advice and suggestions to select the Sarpanch. Due to TPs' hold over people, the candidates and their party need the favour of the TP in order to win. In villages where TP is not active (like Kanadha and Mubarakpur) as it used to be, the past position holders of the post – the *Patil* and *Karobari* still hold power in influencing elections.

As reported earlier in Mubarakpur, tribals and Gurjar Patels reside together. There has been the TP right from the start. During the election for Sarpanch, the TP finalizes the candidate for the post with GP members as they share cordial relations. The ex-members of the GP, village elders, important people from the Gurjar-Patel community, or respectable persons together decided which candidate would be best suitable for the village. However, nowadays this procedure is not followed. In every election, conflict between tribals and Gurjar-Patels arise due to the supporting of candidates. The village is divided into three or four groups. The Tribals split themselves into two to three groups as the candidates from the community are supported by them and also by the Gurjar-Patels. However, the Gurjar-Patels remain united and vote in unison for one person selected by them for the post of Sarpanch (mostly tribal). Money is offered by both contesting parties in the election. People are bribed. Therefore, they give cast their votes in favour of the party who pays Rs.500 to Rs.1000 rupees for one vote per family. It was reported that in the last election, on one side the candidates comprised from the Tribal and Gurjar-Patels, and against them were the candidates solely of the tribals. The Gurjar-Patels tried their best to bribe the candidates of the other group contesting for the post of the Sarpanch and the members to withdraw their candidature forms from their group and join their

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side. So, when one candidate withdrew his form, it encouraged them bribe other candidates successfully. It resulted in the victory of those persons who had the support of the Gurjar-Patels with a majority and are now running the GP. However, it is observed that, since the village has a sizeable population of Tribals, the Sarpanch is always from a tribal group and a Gurjar-Patel person is made the vice-Sarpanch. The GP members also have a combination of people from these two communities. One villager said that ‘...the Gurjars are less in number but they play a key role in election by creating rift among the tribals. They pitch the tribal candidate against the tribals whom they support. This leads to the division of support among the tribals and with bribe they create more people who becomes on their side and support them, thus winning more votes and elections. They make a tribal the Sarpanch and a Gurjar the vice-Sarpanch and safeguard their position of power.’

Talking about the bribes during election time in Mubarakpur, an ex-TP member in a group discussion stated that, ‘...tribal people sell their votes and change their preference overnight in exchange for money. The reason for this is firstly the money, and secondly the tribal society are bribed for their favorite things like alcohol and meat. On the night of polling, the opposition parties come and lure people by offering cash, mass mutton, and liquor to buy their votes. The important reason behind the switchover was that they were economically poor and their livelihood depended on daily wages. Hence when money is offered, they easily get lured into selling the votes of their family for two to five thousand rupees and cast their votes in favour of another party. The Gurjar-Patels have abundant financial resources such as land, property, cash, and valuables that always aid them in making their candidates win. Pouring of money from the national political party due to their affiliation further raises the game of bribing and winning.’ It can be stated that a lot of opposition is seen among the Tribals during elections creating their division into two camps. This has resulted in divisions in the TP as well due to the self-interest of few people which in general have affected the cordial work of TP and GP as it used to be. For instance, one person in a discussion pointed that, ‘...people have started focusing more on political parties due to which the *Patil* of the village has started to lose their significance. These days the Sarpanch appointed by the political party of the village is considered the village chief. All the socio-economic problems of the village are resolved by the Sarpanch. This has resulted in rivalry between the TP and GP.’ A similar concern was stated by another person who said that, ‘...at present, the tribal population in the village is divided into two parts due to which the tribal *Panch* has also been divided. A lot of protest goes among them due to elections, mainly because the members of TP and GP have certain opposition parties contesting elections.’

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In Kanadha during GP elections, party and candidates' rivalry is rampant and a lot of lobbying is seen among political parties in the village. It was reported that quarrels are frequent among the TP and GP during elections mainly due to the choice of candidates. Moreover, there are five families in the village who stand for election every time. In the past, there was a Jadav family who first worked as a *Patil* in TP and every time members of the family run for the post of Sarpanch in the election. The family is well off, owns more land, and maintains good relations with the people of the village. They are always eager to help, which supports their candidature for election. Their family members have become sarpanch three times.

Villagers also reported that political strife has increased in the Kanadha due to the election in the past two-three years. There is an atmosphere of partisanship and frequent quarrels in all the village lanes/wards. The supporters of BJP party do not go to the house of the Congress supporters and vice-versa. This is often the case when it comes to attending weddings. Thus, one finds lanes being divided between the two parties and the supporters of each candidate not going to respective lanes creating a tense situation. Voters are influenced by political parties through bribes and alcohol to win their favour. People are given promises of providing houses, roads, and water to win their votes. There are also occurrences of violent incidents involving both political parties. Notably a year or two after the election, the atmosphere calms down and the people of the village forget their enmity and live together. Presently, the Sarpanch of Kanadha village belongs to BJP. Both Kunbi/Kukna and Warli candidates contest the elections for the post of Sarpanch. Warli candidates have won the elections thrice. Kolcha candidates contest elections for the post of GP members.

It is noted that to stand for GP elections in Gadhvi, the candidate needs to be wealthy and fluent with laws besides being a people pleaser. He must also participate in the social occasions of the village such as death, marriage, etc. In Gadhvi village the Sarpanch is mostly from the Kunbi community because they are wealthy and own more land. The village had Kunbis as Sarpanch for almost 40 years. However, Roshanbhai Somansinh Pawar from the royal clan was Sarpanch for one term (2011 to 2016), who belonged to the Bhil Community. Other than him, there were also two people from the same community who have occupied the post of Sarpanch.

While talking about the environment of the village in Gadhvi during GP elections, Shivalbhai (*Patil* of the village), said that during the elections TP members' duties become more apparent. He informed that when the elections for the post of Sarpanch comes, the TP, village leaders, Sarpanch get together and discuss and decide who should stand for the post of sarpanch. The people also come and share their views on the choice of candidates. Mostly every

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year a different person is given the opportunity. But some families get divided and take sides and stand against the village Sarpanch and TP as the choice for the candidate of Sarpanch is not in their favour. Thus, the village gets divided into two parts and sometimes there are fights. According to him, the distribution of alcohol and money by the opposition leads to people becoming opponents of each other. This is the main factor for the people changing loyalty from one political party to another. In Gadhvi, the number of people from the Pawar and Bhoje clans is more. These families had also seen the hereditary transfer of *Patils* in the village. Hence, in every election, the candidates for Sarpanch are from these two families.

A similar concern was also shared by the Shivrambhai (*Karobari*) of Gadhvi who said that the candidates or old GP members first approach the TP because it is known that the village people respect and listen to the TP. They do as the *Patil* and *Karobari* tell them mainly for fear of lack of support on occasions of marriage, death, etc. Even the candidates of the GP pay more attention to the members of the TP. He pointed out that at the time of election, they decide who should the village people vote for and support. The members of the TP visit the families in the village to decide who to elect as Sarpanch. But when there are two or more contesting candidates the TP cannot do much as the people support and vote for the candidate who bribes them with money, alcohol, and other temptations. With more candidates running for the seat rivalry is rife among different political parties. The political party which has money pays Rs. 500 to the people and sometimes Rs. 1000 as bribe and buy their votes. They also distribute alcohol among the addicts and sports instruments to the youth for games such as cricket and volleyball. They host chicken and meat parties, distribute sarees among the women and towels among men to garner votes. Sometimes, they threaten poor people of dire consequences to frighten them so that they vote for them. Thus, the candidates of the GP draw votes from the people. In this political environment, their control over people in whole gets sidelined and power to unite them overshadows with money power and political manipulations.

Mangubhai Avsubhai Gavit, a former policeman (Gadhvi) informed that in an election a rift was caused especially when somebody from the two families is contesting for the post of Sarpanch because of the biases of the election process. Sometimes there are bitter quarrels. However, people support the wealthy candidate because he provides alcohol, and throws parties. During the election, alcohol is used excessively in the village to bribe as there are large number of people who enjoy alcohol.

In a discussion held with a group of elders in Gadhvi, one of them reported, ‘...during elections, there is exchange of money, chicken-mutton, and alcohol from those contesting elections. TP is also aware of that because the party representative (of candidate) hands over

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the money to the *Patil*, *Karobari*, and candidate of the village who in turn distribute the money among the villagers. This happens when TP and party choice of candidate is common. One day before or on the day of the election the money is given to the voters from a distance of 100 meters from the voting booth. Members of various political parties distribute money and ask the voters to vote only for their party. In this process people have a gala time as they are lured by all and a time when they get to earn without any labour.'

Surjansinh (*Jagaliya*) of Gadhvi informed that he does not have a role in the GP besides informing about any convening of meetings. He does not have anything to do during elections. The *Patil* and the *Karobari* are mainly involved in election work and other intricacies.

Often elections are won with the help of TP and with the money, but it is not always that TP would get the support of GP to hear them. For instance, Shivajibhai Kaprubhai younger brother of Gadhvi village *Patil*, said that the members of GP do not give them enough support. The *Patil* had proposed GP to construct roads in the village but the work has not yet been done in the three lanes despite raising the concerns several times in Gram Sabha meetings. Citing their help, he mentioned that although during weddings, the Sarpanch and some members do remain present and provide water and electricity facilities. Also, members of the GP and TP work together for the funerals of village people and provide all kinds of needed help. Working of GP and TP together also extends towards handling serious issues such as cases of crimes like murder, where they inform the police about it. But for basic infrastructural needs of village and its people, dependency on GP for its implementation sometimes make it a delayed and drawn-out process.

As far as the role of the King in the GP elections in Gadhvi is concerned, his role seems negligible apparently in choosing or selecting the candidate. But his representation becomes strong in the number of votes because there are 200 to 250 voters in the King's family who reside in the village. In the family, the King decides whom to vote for and informs his family members to do so. If he does not approve one of the candidates, all the votes of the family would go to the other candidate. It is also for this reason that the candidates meet him and his family members and try to get them to vote for him.

### **Concluding Remarks**

In tribal areas the informal governance of TP always held people together by governing their socio-cultural and economic (e.g., rituals, marriages, wages, etc.), political (e.g., disputes, fights, conflict, etc.) lives through the hereditary, sometimes selected council members by unwritten but socially sanctioned set of laws and rules. The formal dimension of politics and

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governance entered in these areas through GP and state government with prescribed governing regulations. In the studied villages both these traditional and new governing forms of institutions simultaneously exist and perform their respective roles. However, it can be said that the present state of informal governance is not evenly present across the tribal villages; in some, it has lost its formal functioning while in others it still holds its power over the lives of people. Moreover, the role of TP has been largely bounded to the matters of religious and social ceremonies. The reason behind such change could be attributed to GP, who had impacted the weakening of TP and taking up its role. Especially taking care of material or tangible needs of people because of statutory attributes of GP system.

The consensus between the two governing systems remains balanced as far as it is centered on social and religious life. This is so because tribal as a group or community identifies those sacred rituals, festivals (mainly related to Mother Nature, agriculture produce and seasons), and life events (birth, marriage, death, etc.) as one. But the friction becomes apparent during GP elections where sometimes the choice of candidates by TP comes in conflict with those who oppose them, thus creating a strained ambiance of the village and its people.

From the observation and data collection from three villages, it can be said that the introduction of GP, especially with the political and monetary interest in GP elections over the years has led to the decrease of the harmonious relationship among the people of the villages, which TP has maintained for long. They are now divided according to factions, and political parties and have started to be known by the name of the party. Politics and political fights have divided the people across affiliation to political parties, impacting in the increased conflicts and fights between the people in the village. It also raised the competition among the people for the post of Sarpanch in the GP elections, thereby igniting ambitious individuals. However, the complete supremacy of GP over TP is still far away even at the time of elections. As observed in Gadhvi where TP still enjoys greater strength, the GP's dependence on it for winning elections is not to be negated. Moreover, in villages where TP does not function formally, its member's role in GP system is important as many people still hold their affiliations to them (at a personal level) thereby influencing the GP power politics. Also, equally important to understand is that in both forms of dual system, it is wealth, and lineage that matters the most.

Corruption and manipulation is a part of human community but the GP has escalated and institutionalized them. The political parties use all means to win elections and the tribals are trapped in it in exchange of small gain and a few do it voluntarily for larger economic benefit. GP no doubt to some extent increased the sense of democracy and power of their vote

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but it has increased disparity of accumulation of wealth among a few and large population not enjoying an equal share of the resources brought into the village. The very governance that is supposed to govern the lives of people and villages for well-being and prosperity becomes an instrument of discrimination and disparity.

Dr. Babasaheb Ambedkar had rightly observed that, “a constitution which contains legal provisions, is only a skeleton. The flesh of the skeleton is to be found in what we call Constitutional morality”. The GP and Panchayati Raj has implemented the Constitution mandate but the people of India and political parties in particular have not adequately developed the Constitutional morality. The public conscience which is essential for the successful working of the democratic Constitution is not alive, democracy dies. The villages studied show that Constitutional democracy is alive and kicking but the conscience is becoming blunt.

## Chapter 6

### Conclusion

Distribution and composition of the Indian population show that India is home to the largest numbers of tribes in the world. One-third of the world's tribal and indigenous population, meaning, over 104 million tribal people live in India (8.6%). Although there are 537 tribal communities in India, only 258 communities have been notified as tribes or Scheduled Tribes. The regionally Scheduled Tribe population is dominated by Western, Eastern, and Central regions. Around 87 percent of the country's total tribe population, is found in the central belt of the country. Overall, as per rough estimates, the prominent tribal areas constitute about 15 percent of the total geographical area of the country<sup>i</sup> and correspond largely to underdeveloped areas of the country (IDSP 2003). Even though the tribal communities of India are a very closely-knit society it cannot be clubbed together as one homogeneous group.

Political organizations are important components of political life of a society in a democratic country. The political authority or governance helps to maintain peace and coherence in the society. Governance is a broader term which refers to the various ways through which social life is coordinated. According to the World Bank (1994: xiv) governance is “the manner in which power is exercised in utilizing a country's economic and social resources for development”. In the view of UNDP, governance refers to “the system of values, policies and institutions by which a society manages its economic, political and social affairs through interactions within and among the state, civil society and private sector. It is the way a society organizes itself to make and implement decisions - achieving mutual understanding, agreement and action”. Governance is affixed on six key principles: participation, inclusion, non-discrimination, equality, rule of law, and accountability.<sup>ii</sup> Sometimes, governance can be used interchangeably with government. In this context, governance is ‘the act or manner of governing; the office or function of governing.’ To govern is ‘to rule or control with authority; to be in government’ (Kjaer 2004: 3).

India is known as a democratic country since it got its independence. The launching of the governmental Community Development Programme (CDP) in 1952 was the first nationwide undertaking aimed at decentralising and democratising the local system of government. Though the programme failed to achieve its expected outcome, it did cement the way for the creation of the present three-tier local self-government in the country encompassing Gram Panchayats at the village level, Panchayat Samitis at the level of a group of villages (the



block level), and Zilla Parishads at the district level. This system is known as Panchayati Raj Institutions (PRIs). It is provided that the central role in the PRIs system would be played by village self-governments (Gram Panchayats), and the authorities should be elected in universal, equal, and direct elections (Bywalec 2022). The PRIs are public institutions established at the local level with sufficient powers and adequate financial means at their disposal to ensure effective governance and progress toward social and infrastructural development.

Tribal communities are known to have their own traditional social and political governing structure. They are mostly governed by self-rule through the collective way of customary methods and traditional systems of social control. The traditional institutions in the form of traditional Tribal Panchayats/Panch (TP) exercise enormous social, moral, religious, economic, and political control. A high degree of dependence on each other and mutual obligations force people to abide by uncoded, customary practices and traditional systems of society. Notably, the TP's social control mechanism encompasses all spheres of their activities. Their political-social legal affairs are handled by the leadership of the TP or Tribal Council members, formed by the people of the village/region on informal consensus. The implementation of PRIs as a constitutional form of governance in the country brings out the fact that in tribal areas one can now see dual forms of governing structure; one – an informal traditional system of 'Tribal Panch/Councils' and the second a formal system of 'Statutory Panchayats' (specifically Panchayati Raj Extension to Scheduled Areas Act (PESA), 1998<sup>iii</sup>).

The present study attempted to examine the interface of these two systems in three tribal villages of South Gujarat considering the fact that tribal areas in the state have a history of local socio-political governance through Tribal *Panch* or Councils. More precisely, it looked at the structure, processes, and functions of the two systems in terms of their roles, responsibilities, areas of cooperation, similarities, and conflicts besides their impact on local villagers.

### **Reflections from the Study:**

- 1. Presence of Governance through Traditional Panch System:** While studying the three villages, it was found that though governance through TP has declined over the years, it still holds its presence. Compared to Mubarakpur and Kanadha, the system is more visibly active in Gadhvi. The system forms an integral part for the decision-making system on important issues related to social and religious affairs including the resolution of conflict. The members of the traditional village council continue to be viewed with respect and the decisions of the council are still respected by the entire community. In the villages where the TP is not active at present, the council members

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are known by their position and enjoy respect. GPs have gained importance but only to the level of handling external issues of delivering welfare activities to its people. Also, where Sarpanch has taken up the role of '*Mukhiya*,' the governance still lies with a group of Tribal elders, headed by the Sarpanch (who also happens to be a Tribal first) rather than the traditional functional TP members per se.

- 2. Formation Process of Traditional Tribal Panch System:** The TP has a formal body comprising five members out of which the three members namely *Patil*, *Karobari*, and *Jagaliya* possess more functional roles. Their positional rank connotes-*Mukhi* (chief), Village Financial Administrator, and Informer/Messenger. The other two members of the Panch act more as helping the villagers financially to pay of their penalties during punitive/punishment cases by becoming the source of providing loan or credit. Specific roles and responsibilities of these members have already been discussed in chapter four.

As a governing system, it has a feature of 'Elitism' and 'lineage domination' in terms of people holding powerful positions, especially the '*Patil*' and '*Karobari*'. These members are from wealthy families, with an ancestral history of holding leadership roles and higher in the tribal groups' hierarchy living in the village. For instance, in Kanadha the *Patils* are from the Kunbi tribe, who are economically better and socially considered higher than that of Warlis and Kolcha. Similarly, in Gadhvi the Kunbi/Kukna hold *Patil* position, hereditary transferred. Although, in Gadhvi the Bhil's houses are numerically more in number yet they are hierarchically placed at a lower position and *Jagaliya*'s have mostly been from this group.

At the same time, it also involves the facet of participatory democracy, where the selection and removal of TP members is in consensus with the majority of people. Once in history, the member having a lineage of holding the position was replaced by another solely because the people in the council felt that the person failed at performing his duties effectively in Gadhvi. A similar case was seen in Mubarkpur where people dissolved the TP due to monetary irregularity on the part of *Patil* and *Karobari*. In Rao's (2017) view, such aspects suggest that TP functionaries are unequivocally answerable to the people. There are well-established customs for bringing change in leadership that are rare and for reaffirmation of the community's confidence in the same. However, one cannot deny the fact of succession becoming virtually hereditary.

- 3. Traditional Tribal Panch as Judiciary Body:** In the studied villages the TP still seems to be a judiciary body for the people. Any individual disputes in the village first reach the TP. The TP holds a meeting with disputed parties in the presence of villagers at

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selected date, time and makes appropriate decisions. It was found that the dispute by TP was resolved mainly by the method of consultation, deliberations, negotiations, and fines. The aim of the judgment is not oriented towards punishing the person rather it is more seen as a deviance from the accepted norm that needs to be rectified with being a member of the community through customary modes. For instance, in marital issues leading to conflict, divorce, or other harms the party of both bride and groom are aware of unwritten codes of the probability of the fines and other actions they would incur. The presence of *Patil* and *Karobari* in every marriage is therefore essential as witnesses to the bond and the expenses incurred so that when any conflicts arise in the future, they can handle the situation and give their unbiased decisions which needs to be accepted by all. Only in cases of murder or rape the TP involves the third party i.e., the Police, but such cases in all three villages were rarely found. The TP also handles disputes related to land allocation and distribution which have increased in a family. Sarpanch and other GP members are also present in the meetings, considering their official position. Also, Sarpanch and TP members make sure that most of the conflicts or fights arise must be handled at the village level. Mubarakpur, which has tribe and caste groups living together, this pattern of justice is more to the tribal group, where in the absence of proper TP the leaders or elders among the tribal group take up the role of handling matters. The approach in handling disputes and grievances, giving any verdict by TP is always towards maintaining integration and peaceful environment of the tribal community and the village. The TP members continue to be viewed with respect and the decisions of the Panch are still valued by the villagers. This also implies that despite the GP being a modern functioning body where people could address their problems, the tribal people seek redressals for their grievances within the traditional councils.

Singh's (2005) study also found that the traditional institutions for dispute resolution are not only functioning but are still going strong among quite a few tribes and they are widely preferred in comparison to the modern systems. The findings are contrary to the belief that with the introduction of statutory political institutions, formal law and order machinery, modern infrastructural facilities, initiation of several development programs, etc., the traditional institutions of the tribals are on the way out. He further states that if left to themselves, the tribal communities have enough potential to manage their affairs effectively and economically, instead of forcing modern institutions of justice on them. Hence, State PESA laws must recognise and respect

customary modes of dispute resolution and recognise the traditional structure of justice in the tribal areas as legal bodies. Precisely the PESA act was actually formulated with the aim that it would integrate traditional governing system with modern system in tribal areas, but reality shows such integration as null and void.

4. **Mutuality between the Tribal Panch and Statutory Gram Panchayats:** Based on discussion with TP and GP members in all three villages it was observed that there was no attempt to overpower the legal body over the traditional. Rather there exists a mutual interaction between the dual power centres. Both cooperate in discharging their respective duties towards the people and respect each other's domain of authority. The satisfactory cooperation between the two is largely because of the awareness of their specific functions – TP oversees the socio-cultural and religious well-being of the people whereas Panchayat oversees the administrative and developmental activities among the people in the village. In villages where TP does not function, the ward members and Sarpanch imbibe their responsibility, especially in handling the TP's functions in collaboration with village elders.

The study by Rao (2017) on the interface between the Traditional System of Governance (TSG) and Statutory Panchayats (SP) in Andhra Pradesh has found the co-existence of GPs and TSG institutions with the latter often trying to adjust to the former. The reason for this is that both do not work at cross purposes and thus are not in conflict with each other. Hence, there are no conflicts observed between the two in the studied villages though the spread of panchayats has brought a certain change in the functions of TSGs. It was also found that the TSGs are mainly involved in the resolution of disputes and do not interfere with the panchayats. The GP sometimes acts as a council of appeal to the disputants who do not accept the verdict by the traditional council. The quarrels between individuals or between villages that could not be settled in the village by the council are brought before the GP.

5. **Dual Power Systems- Similarities and Differences:** The two systems of governance show few differences and similarities. As far as similarities are concerned then both systems are regulatory bodies over the people they are meant for. The selection of members to be given authority follows a certain pattern. The holders of important positions like *Patil* and Sarpanch generally belong to families who are dominant economically, and socially (tribal clan, caste) and are ancestral, especially true in the case of the former than the latter. In both cases the position holders can be changed, if people feel that the leaders are not performing their responsibilities. This action is much

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more at ease in TP than the GP as the process in the latter could be influenced by monetary, threat, and political interest for no positional change in certain cases.

The differences include that the TP is a socially and informally formed system whereas the GP is more formal with legalities and PRI compliance. In TP there is no fixed term as such and a person can remain in a powerful position for several years or decades, but GP members must face an election after 5 years. The positional change of GP members depends on the election result. Another major difference between the two systems is the women representatives. Unlike GP, TP has no women representatives. Hereditarily the responsibility of holding the position is given to the male members of the family. In all three villages, the women never held any post of TP (except once in Gadhvi) over the generations. Reportedly the reason for the absence of women from such posts was because women cannot take up the roles and responsibilities the TP demands. Group discussions and interviews with different TP members stated that as a woman it would be difficult for her to be a *Patil*, *Karobari*, or a *Jagaliya*, as the workload involves managing meetings, events, and accounts, taking care of people's needs, making decisions, availability for the people at no fixed time or hours, traveling to places at any time and so on. For them, if women held positions, then their household duties would be affected as they would be giving less time to their home. The patriarchy is strongly observed in the formation of TP. In GP there is a reservation for women, hence their representation is seen in the governing body unlike TP. However, for women to use the rights of their role become difficult due to the domination of male members and patriarchal hegemony. Hence, men's manipulation of women leaders in their role performance virtually negates the advantage and entitlement of women's reservation in GP. Nonetheless, there are also incidents where women leaders have shown their active participation by bringing in changes in their villages because of their leadership ensured by GP.

- 6. Dual Power Systems and Politics:** Statutory Gram panchayats are formed through elections every five years for the posts of Sarpanch, Vice-Sarpanch, and ward-wise GP members. As per PRIs three-tier system of Zila Parishad (District level), Panchayat Samiti (Block level), and Gram Panchayat (Village level), except first tier, the involvement of political parties to contest with respective political symbols is not permissible. This is to represent a decentralisation of power in the latter two tiers and to provide fair opportunities to the people who gets involved in the development and decision-making process. However, the study showed that in all the villages the

involvement of political parties during elections is highly evident. Their tacit and explicit backing exists from the selection of candidates for the respective posts to influence the voters. As mentioned in Chapter 5, during elections the villages are politically charged if there is no common consensus for the person's nominations for the posts and entry of political parties. Political support to their candidate also brings in money, manipulating the voters by element/allurement of cash, liquor, and food parties. It was reported that if money was not paid people would refuse to go to vote (reported in Gadhvi). In Kanadha GP elections the political support to candidates was between Congress and BJP political parties. The money given to the household is for every voter in the family. The BJP gave Rs. 50 per voter, while Congress gave Rs. 10 per voter. The situation also makes us believe that the villagers are not seriously conscious about democratic decentralization and political participation and how it can change their village.

The GP elections also influence TP. Sarpanch needs help to win, considering the impact TP holds on the people. Since the TP system is concerned and embedded in various spheres of people's lives, and people respect TPs decisions. It is a common practice that the Sarpanch use TP (for buying members with money) to win elections. Thus, the interdependence of the dual power system gets heightened at the elections. Notably the GP-election system has also divided the people into factions resulting in parties increasing the disharmony among the community to an extent. Such divisions were not so common earlier. Group discussions held with the locals in Gadhvi highlighted that political affiliation and the influence of different political parties have brought about conflict and factions among families. Incidences of conversion (or sectarianism) to some sects was also talked about in the village concerning a few families. Inflow of money in a big way through political affiliation has heightened class differences as well in a significant way.

- 7. Gram Panchayat and Gram Sabha (GS):** The *Gram Sabha* is the assembly of the people, which is mandatory. According to Article 243-A of the Constitution of India, "A *Gram Sabha* may exercise such powers and perform such functions at the village level as the Legislature of a State may, by law, provide." It is widely recognised that the Gram Sabha should be at the centre stage in the Panchayat system. The *Gram Sabha* is decision-making bodies in the nature of recommendations and advice and therefore, the Panchayats cannot ignore *Gram Sabhas* or overrule their decisions (Tiwari 2016).

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In the studied villages, the GP members had talked about holding GS as per the rules (at least twice a year), but the reality was far from it. Often the GP members avoid gathering people especially those they think would oppose their views or bring in suggestions that might not allow them financial manipulation of receiving funds meant for welfare activities of the village. Most of the households remain unaware of the information regarding the GS meetings, hence their possibility to participate in the meetings is bleak. In the meeting with project reviewers (funding agency), held on 12 August 2022, a suggestion was made to take part in *Gram Sabha* and local tribal meetings to get insights into the governance decisions of these two bodies. During the project period, no *Gram sabha* meeting was announced nor was it held in the researched villages. So, witnessing the conflict addressal meetings and processes in person has not been possible. However, an interview with Jamnaben, the Sarpanch of Mubarakpur, mentioned that in the last GS meeting (held in earlier months of 2022) 8 *theraav* (Resolutions) were passed such as the construction of Bore (at the temple, *anganwadi*), Gutter Pipelines (streetwise), identifying beneficiaries for housing scheme, etc. In Gadhvi, the last meeting had a few agendas including water supply, gutter pipeline, and road cleaning.

In the studied villages, people have mentioned their grievances against GP in delivering services. For instance, the school principal in Mubarakpur reported that the school requires infrastructural facilities but Sarpanch has not taken note of it despite drawing his attention. He has not made any visits to the school, hence is ignorant of the problems. It was informed that there was lack of water supply in the school toilet because the water motor had been stolen. Nothing has been done so far. The requirement of water is fulfilled through a nearby hand pump. The compound wall of the school is dilapidated. The complaint for the same was also registered to the Sarpanch and Panchayat office, but there is no outcome yet.

In Mubarakpur, it was reported that Sarpanch (woman) is merely a signing authority with no say in the matter of Panchayat's functioning. On behalf of her the other members of GP discuss and decide and later informs her and gets her signature. Also, she mostly remains at home and when the requirement arises (like meetings or when anyone visit GP office) she goes to the office. One GP member mentioned about lack of manpower in the Panchayat office, due to which there is a delay in providing services to the people. It sounded lame excuse. For instance, six villages come under the jurisdiction of Talati of Mubarakpur, hence most services such as issuing of

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government certificates (birth, income, scholarship, etc.) get stalled and delayed. The people were also concerned about the use of funds that the Panchayat gets, as sometimes they were not used properly or as per the needs of the village. For instance, if the funds for street road construction are made available to the GP, then it was utilised to construct the street road for the powerful people in the village rather than where it is required. Corruption is part of the game in the functioning of the GP. Also, the decisions are mainly taken by the GP members in their meetings rather than in the GS meetings. GP is viewed as an implementing agency for developmental activities and it does not enjoy the status of decentralized political institutions. All power rests in the hands of the state-centre government only. The devolution of power to GP is on paper. Reportedly in Kanadha, GS has taken place once in three years and a general meeting of GP monthly or once in two months. In all three villages, there is a lack of adequate livelihood options, and therefore seasonal migration is prevalent. The MGNREGA does not function as mandated. The issues of water and lack of other basic facilities in the villages are conveniently ignored. In Gadhvi village in a few of the cases, it was reported that the amount sanctioned and received (is always less than approved) for the construction of toilets was utilised for the construction of bathrooms. This implied that open defecation was still practiced in these villages. The political propaganda of the ruling party and the ground reality do not always substantiate or maybe they are not to be so.

Singhal (2015) in his study also stated that most of his respondents felt that village funds allotted for any specific purpose were not properly utilised for the development of villages. He observed that muscle power has been operative and successful in diverting funds and thus becoming a hurdle in the development of the villages. Rich and powerful people played an important role in manipulating panchayats and misusing village funds for their vested interests. These elements through muscle power, fear, and threat created groupism in the villages to their advantage.

8. **PESA Awareness:** The recent details of PESA in Gujarat revealed that Gujarat notified the State PESA Rules in January 2017. PESA seeks to protect the principle of *Jal, Jungle, Jameen* i.e., water, forest, and land for the tribals. It was said to be applicable in 4,503-*Gram Sabhas* under 2,584 village panchayats in 53 tribal talukas in 14 districts.

The researchers, not to their surprise, found that in all the studied villages the awareness of PESA was lacking, let alone the implementation of it. The PESA Act has



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not been implemented in these studied villages. Neither the village people nor the Panchayat members including the TP were aware of the PESA Act. No organisation had made efforts in these villages to explain the PESA Act to them. For instance, in Gadhvi village when people, village leaders, and village panchayat members were asked about the PESA Act, the response was that they had no information about it. Even the Sarpanch did not possess adequate information about it. The same was true in the case of Mubarakpur village. When asked about PESA their response was negative as they were not aware of the existence of the Act.

Lack of knowledge and exposure to PESA is a matter of concern. Lack of knowledge and awareness meant that the tribal villagers were denied their special Constitutional rights of local governance especially related to their natural resources of land, water bodies, and forest rights. This also meant that as PESA acknowledged and consolidated self-governance mainly related to the development and natural resources of villages. While the state government's unwillingness to implement laws as per PESA was undermining the self-governance of Tribals constituted by the same Act. In simple words, this was a failure of the government in safeguarding the rights of the tribals.

In Gadhvi, GP members stated that only a few are allowed to do agriculture on forest lands. Also, it was the forest department that dictated which crop should be cultivated. It was also reported that the forest officers did not allow villagers to take the minor forest produce, wood for fuel or to build homes. Some of these actions were done covertly to avoid being discovered by representatives of the forest department. Interestingly it was noted that many young people took up forest official entrance examinations and in Kanadha many young people worked as forest department members.

The PESA is one of the progressive legislations for tribals providing for self-governance and recognising the traditional rights of tribal communities over natural resources around them. Another important aspect of PESA is that it spells out a general framework of reference for governance in the Scheduled Areas. It envisages several options that may be exercised in each case by the concerned authorities depending on the local situation (Kar 2016; Monditoka 2010). For example, in 2013, referring to the PESA, the Supreme Court of India, in a landmark case, had asked the Odisha Government to go to the *Gram Sabha* to get permission for bauxite mining in Kalahandi and Rayagada districts of Odisha. Local forest dwellers were asked whether bauxite mining would affect their religious and cultural rights and they decided against the

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mining on Niyamgiri hills which led to the cancellation of a huge project. The case was considered a milestone that showed the power of the *Gram Sabhas* but this was one of the rare achievements of PESA which underlined the immense possibilities that the Act carries. However, experts argue that law has failed to achieve its potential and has not created any significant impact on the ground<sup>iv</sup>.

It can be argued that despite the specific provision provided through PESA, there is a gap between macro-level decisions and grassroots-level reality. Tribal regions have their peculiarities. The main actors in Panchayats are traditional leaders, new entrants, local bureaucracy, non-tribal society, and government departments like - forest and revenue (Sisodia 1998). Do these actors and factors at the Panchayat level in the village allow self-governance or the 'outsiders' are more of a hindrance? It is a question to study.

### **Concluding Remarks**

The foundational principles of local self-government in India are based on the idea of community participation, decentralisation of power, transparency, accountability, responsiveness to local needs, and independent and autonomous democratic governance. This well thought and conceived idea was put into practice with the establishment of the three tiers of rural self-government, the most crucial entity being the Gram Panchayat. It was endowed with the most extensive powers to regulate local affairs with the other two higher tiers having much narrower powers (UNDP 2000). The reality suggests that PRIs rather than becoming a platform of local governance, have become more of an institution for rural development which has helped identify works for funds and beneficiaries in order to get maximum benefits out of various government schemes to people in power.

With respect to tribal areas, the Panchayat (Extension to the Scheduled Areas) Act was meant to expand local self-governance among them. But the law commonly known as PESA remains disempowered as 40 percent of the states under its purview have not been able to frame their rules for its implementation even after 25 years of its existence. A total of four states Chhattisgarh, Jharkhand, Madhya Pradesh, and Odisha have not even framed the rules yet – while Gujarat used the rules of the Panchayati Raj Act to manage the fifth scheduled areas. But even in the states where the rules were formulated, the situation is not different. The rules have been on paper with no political will to bring them to fruition. Since its passing in 1993, states were supposed to amend their law incorporating the provisions of PESA but even though some states managed to formulate the rules they performed quite poorly in ensuring their

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implementation<sup>v</sup>. In a research paper, by Fernandes (2008), a noteworthy anthropologist has shown that at least 60 million or 6 crore people in India have been displaced for the construction of dams, mines, thermal power plants, corridor projects, etc. Among them, 40 percent of displaced people are Tribals and 20 percent are Dalits which means that 60 percent of displaced people are from marginalised communities, who had to sacrifice everything for the sake of 'development, in the national interest, public good' but they are being deprived of the developmental benefits. Their interest and development are pushed into the margin. Recently, India has adopted the policy of promoting the Special Economic Zones [SEZs] for faster industrial development which is further adding to the woes of those already pushed to the margins.

The decentralization process shows dual governing systems in Tribal areas, in some it has been reduced and in others, its presence is still felt. Although, some of its functions mainly related to development and rights to natural resources have shifted to the formal system of GP. In the social and decision-making space, traditional forms of governance still hold good and the TP has power concerning the lives and culture of tribals whether it is old or new generation. The acceptance of the new system by the villagers is not met with resistance as the expected roles of the two systems are self-explanatory and are utilised accordingly. However, they do have issues, especially with the new system of GP as it may require provisions that are not met by the system, which also makes people's participation in it low. For some, the new governance system has ignited the hope of becoming a part of the political process, which in the traditional system was mostly centred with a few families and tribal/clan groups. A healthy and democratic political participation is always welcome but when it is polluted with false narrative, money, and allurements it does not serve the real purpose.

The majority of tribals constitute the labour workforce though their participation in work is declining. Tribals also account for over a quarter of the country's poorest people. Although these groups have seen considerable progress over the years, nearly half the country's Scheduled Tribes population remains in poverty, due to historical injustice done to them. Still, there are political forces that want to deprive them of their right to compensate for the historical injustice they have faced.

The answer to the question of the slower pace of tribal development lies in the various constraints that the tribal communities face. Major constraints that stand out include<sup>vi</sup>: (i) Destruction of forests in the name of development (by others and not tribals) which implies that the tribals are not only losing the source of livelihood but also an intricate relationship with the forests that surrounds their social and cultural life. (ii) Lack of formal education and

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awareness among the tribal population about various developmental programs launched by State and Central Governments, resulting in their exploitation. Geographical isolation of tribal habitation from others and poor access to information aids their low level of awareness. (iii) Remaining deprived of the knowledge of various protection of Tribal rights and concessions due to their ignorance and apathy of enforcing agencies. (iv) Concerted political will by various governments in the centre and at the state to uphold tribal rights enshrined in the Indian Constitution and allocated funds and resources for their development.

These constraints are actually against efforts to protect the tribal areas under the democratic provision of 'The Panchayat Extension in Scheduled Area (PESA) Act, 1996' which talks about tribal self-governance with them having real power to control their affairs and progress.

Like in the other states where the PESA has been applied even when just as a face wash in the past twenty-six years, there have been very few efforts by the Gujarat government to achieve the desired goal of tribal self-governance. As Sonkamble and Kombinoor (2023) state, tribal communities have their own traditional cultures, and knowledge systems including self-governance systems which have so much to offer. Hence it cannot be separated from the collective rights of the peoples. Actual implementing of PESA, and the process of protecting their rights for them and by them in the present time could be the beginning of local self-governance in the true sense of their development as it was anticipated for them after the country's independence.

### Notes

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<sup>i</sup> The extent, to which a state's population is tribal, varies considerably. The tribes in Lakshadweep and Mizoram constitute more than ninety percent. In Northeastern states of Meghalaya, Nagaland more than eighty percent of the total population are tribal followed by Arunachal Pradesh and Dadra and Nagar Haveli with nearly two third of the population, between twenty and thirty five percent in Assam, Manipur, Sikkim, Tripura, Madhya Pradesh and Orissa. Nearly ten percent in Gujarat, Rajasthan, Maharashtra, Assam, and Andaman and Nicobar Island; nearly six percent or less in Himachal Pradesh, Karnataka, West Bengal. And one or less than one percent in Kerala, Tamilnadu, Goa and Daman and Diu (<https://paa2009.populationassociation.org/papers/90457>).

<sup>ii</sup><https://www.undp.org/eurasia/our-focus/governance-and-peacebuilding/responsible-and-accountable-institutions>

<sup>iii</sup> The PESA, 1996 also known as the Central PESA Act is the most important legislation enacted by the Parliament of India for the political empowerment of Tribals in the country. The Act extends the PR system to all Schedule V areas falling within the administrative jurisdiction of states of undivided Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Odisha, and Rajasthan. The primary objective of PESA is to percolate the ethos of democracy to the tribal areas by decentralizing power at the grassroots level so that *Adivasis* can participate in decision-making at the Village, Block, and District levels. It covers all aspects of people's life including matters concerning intoxicants, prevention of alienation of land and restoration of illegally alienated lands, consultation before acquisition of land, grant of mining leases and concessions, control over money lending, regulation of village markets, management of water bodies, ownership of minor forest produce, developmental programs, and social services. Moreover, the GS remains at the centerstage in the system of tribal self-governance (Rao 2017).

## Functioning of Tribal Political Structures

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<sup>iv</sup> <https://scroll.in/article/988729/25-years-on-many-indian-states-havent-implemented-the-law-that-empowers-advansi-communities>

<sup>v</sup> <https://scroll.in/article/988729/25-years-on-many-indian-states-havent-implemented-the-law-that-empowers-advansi-communities>

<sup>vi</sup> <https://tribal.nic.in/WriteReadData/CMS/Documents/201305031210162373115overview.pdf>

## **Annexure 1**

### **Prominent Features of the 73<sup>rd</sup> Amendment Act<sup>i</sup>**

1. There shall be a three-tier system of panchayat: at village, intermediate and district levels. Smaller states with population below 20 Lakhs will have option not to have intermediate level panchayat.
2. Seats in panchayats at all three level shall be filled by direct election. In addition, the chairperson of the village panchayat can be made member of the panchayat at the intermediate level. MP, MLA, MLC, could also be member of panchayat at the intermediate and the district level.
3. Provision for the establishment of Gram Sabha (GS) in each village and acting as a body comprising of assembly of all the adult members registered as voters in the panchayat area. Gram Sabha acts as a forum for direct participation of villagers in local governance.
4. Seats in Panchayats at all three levels shall be filled by direct election.
5. In addition, chairpersons of Panchayats can be made, members of the Panchayats at intermediate level, and chairpersons of Panchayats at intermediate level can be members of the district Panchayat.
6. In all the panchayats, seats should be reserved for SCs and STs in proportion to their population and 1/3 of the total number of seats will be reserved for women of the SC/ST<sup>ii</sup>. Offices of the chairperson of the panchayat at all levels shall be reserved in favour of SCs and STs in proportion in the state. One-third of the offices of chairperson of panchayats at all levels shall also be reserved for women
7. Legislature of the state shall be at liberty to provide reservation of seats and office of chairperson in panchayat in favour of backward class citizens.
8. Panchayats shall have a uniform five year term and elections to constitute new bodies shall be completed before the expiry of term. In the event of dissolution, election will be compulsorily held within six months. The reconstituted panchayat will serve for remaining period of five year term. It will not be possible to dissolve the existing panchayats by amendment of any Act before the expiry of its duration
9. A person who is disqualified under any law, election to the legislature of the state or under any of the state will not be entitled to become a member of a panchayat. Independent election commission will be established in the state to superintendence, direction, and control of the electoral process and preparation of electoral rolls. Specific responsibilities will be entrusted to the panchayats to prepare plans for economic development and social

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justice in respect of matters listed in XI Schedule. For the implementation of development schemes, main responsibility will be entrusted to the panchayats.

10. The Panchayats entrusted with powers and authority with the responsibility of (a) preparing plans for economic development and social justice, (b) implementation of schemes for economic development and social justice, and (c) in regard to the 29 items listed in the Eleventh Schedule of the Constitution.
11. The panchayats will receive adequate funds for carrying out their plans. Grants from state government will constitute an important source of funding but state government is also expected to assign the revenue of certain taxes to the panchayats. In some cases, panchayat will also be permitted to collect and retain revenue it raises.
12. The Act also empowers the state government to constitute not only an Election Commission to conduct elections for Panchayats, but also a State Finance Commission (SFC), each for a period of five years. In each state, finance commission will be established within one year and after every five years to determine principles on the basis of which adequate financial resource would be entrusted for panchayats. SFC has to make recommendations to the Governor regarding the distribution between the state and panchayats of the net proceeds to taxes, duties, tolls and fees, etc. the determination of taxes, duties, tolls and fees which may be assigned to, or appropriated by, the panchayats, and grants-in-aid to the panchayats from the Consolidated Fund of the state, as well as measures needed to improve the financial position of panchayats.
13. The Ministry of Panchayati Raj (MoPR) was created in 2004. It has the primary objective to ensure the compliance of the provisions of Part IX of the Constitution. The Ministry also sponsors training programmes to functionaries of PRIs aimed at capacity building and to develop governance capabilities. 'Panchayat' is a state subject and, therefore, the Ministry of Panchayati Raj promotes Panchayati Raj through various schemes, and advocacy with states. One of the ambitious central schemes is e-Panchayat with a target of 2.2 lakh Panchayats. The scheme focusses on automation of the internal work processes of Panchayats. Besides software, the Ministry provides computers to Panchayats.

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<sup>i</sup> The Constitution (Seventy -Third Amendment) Act, 1992, Government of India

<sup>ii</sup> In 2009, the Union Cabinet increased the cap to 50% for women in local self-government bodies.

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